

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Monday, May 17, 2010 1:44 PM
To: ANDERSON, SHIRLEY A
Cc: JACOB, NAYREE Y
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Thank you, Shirley! If you receive any pushback on completing the research, please let us know, and we can help escalate given the CEO-level visibility.

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 12:39 PM
To: DEMETER, JOYCE L (ATTOHB)
Cc: JACOB, NAYREE Y (ATTCINW); RUDLOFF, TROY (ATTCINW); CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Joyce,

If possible can you take a look at this one today please?

Thanks
Shirley

From: JACOB, NAYREE Y (ATTCINW)
Sent: Monday, May 17, 2010 1:20 PM
To: ANDERSON, SHIRLEY A (ATTASIAIT); RUDLOFF, TROY (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Shirley,

Is there contact information for the Billing Specialist? Just looking to see if I can contact he/she to follow up today?

Thanks,
Nayree

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 12:06 PM
To: RUDLOFF, TROY (ATTCINW)
Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Vicki has referred the issue regarding the check to an Exec Office Billing Specialist for investigation.

This is Vicki's note from 5/13:

Left vm that I have all of the emails to our officers and as discussed yesterday with him I am addressing the check issue of 2007 and Jim Camberis in wireless is addressing his other concerns.

It does not really say when she is to follow up with the customer, but I am assuming on Wed as that was what she indicated in her vm to me.

Shirley Anderson
Manager, Customer Appeals

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Sent: Monday, May 17, 2010 11:14 AM
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Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Please do, Shirley. Nayree on my team will be following up with you for an update and provide help to get resolution. Thanks for all your help!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 8:53 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Sorry, I am not sure. I really don't know anything about the case. I can look through her case notes if needed.

Shirley Anderson
Manager, Customer Appeals

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 9:51 AM
To: ANDERSON, SHIRLEY A (ATTASIAIT)
Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Thanks for the quick response, Shirley. Was Wednesday follow-up requested by the customer? If Mr. Chelmowski is waiting on us for a response, I'll be happy to work to resolution today (once updated with status).

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 8:49 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498
EX-0438

Troy,

She left a message and said she would follow up on Wednesday... but I believe also said Jim Camberis is working on his issues?

Shirley

From: RUDLOFF, TROY (ATTCINW)
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Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498
Importance: High

Hi Shirley,

I just received Vicki's out of office message. Who is contacting Mr. Chelmowski in Vicki's absence?

Thank you,

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 8:36 AM
To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Good morning, Vicki and Jim. What is the latest?

I apologize for nagging you on this one... I'm only contacting you for updates every 3rd time I receive a request from Leadership. ☺ Lot of eyes are on this one, so please let me know if:

1. There's additional work to be done that I can help with.
2. You're having difficulty navigating internal channels – I might be able to help you escalate.

Thanks again!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: MOSS, VICKI (ATTASIAIT)
Sent: Friday, May 14, 2010 7:41 AM
To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Troy,

We have not completed our review. As soon as we do, all will be updated.

Thanks,
Vicki

From: RUDLOFF, TROY (ATTCINW)
Sent: Friday, May 14, 2010 8:29 AM
To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Subject: Re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Thanks for the follow up, Vicki. Was the original check cashed? What do we plan to offer for resolution for him?

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

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To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Sent: Fri May 14 06:41:08 2010
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Good Morning,

Jim Camberis and I talked yesterday. I did make a second call to Mr. Chelmowski that I was in receipt of "all" of his emails to "all" of our officers and Board of Directors. I advised him on voice mail and stated again of my conversation with him the day before that I'm looking into the 2007 check issue and will be back with him. Also, that Jim Camberis is addressing his other issues. I believe Jim was going to be out of the office today but we are in contact with each other.

We will keep you posted as to resolution with him.

Thanks
Vicki

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Cc: CAMBERIS, JAMES (ATTCINW)
Subject: Re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Vicki and Jim,

What's the latest with Mr. Chelmowski?

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
EX-0440

ATT-0162
CONFIDENTIAL

Ofc: 847-765-4695
Mbl: 404-202-4161

From: MOSS, VICKI (ATTASIAIT)
To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Sent: Thu May 13 07:50:27 2010
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Troy,

It is a partnership. I (being telco) am addressing the refund check of 2007 for \$305.88. Jim is addressing the other issues.

Please feel free to let us know if you need anything else from us.

Thanks
Vicki

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To: CAMBERIS, JAMES (ATTCINW); JACOB, NAYREE Y (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Jim and Vicki,

Thank you so much for taking the lead with Mr. Chelmowski. Nayree and I were asked by my boss, Dave Fine, and Ralph De La Vega to contact Mr. Chelmowski and resolve his open items by EOD tomorrow. Given this history you have with Mr. Chelmowski, it appears that I would not help in achieving this customer's perception of "One AT&T" by getting involved any more than you ask me to. In my response back to Dave and Ralph, who can I tell them owns resolution?

Thanks again and please let me know how I can support you!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: CAMBERIS, JAMES (ATTCINW)
Sent: Wednesday, May 12, 2010 4:59 PM
To: JACOB, NAYREE Y (ATTCINW)
Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Jim Camberis
Manager Office of the President/Executive AppealsAT&T Mobility
North Central Region

From: MOSS, VICKI (ATTASIAIT) **On Behalf Of** Customer Advocacy Midwest
Sent: Wednesday, May 12, 2010 2:04 PM
To: YOUNG, MICHELE D (ATTOPS); Customer Advocacy Midwest; CAMBERIS, JAMES (ATTCINW)

Please forward to executive complaints.

From: Jim Chelmowski [mailto:jim@expertfinancing.com]
Sent: Wednesday, May 12, 2010 1:10 PM
To: jeff.fancher@att.com
Subject: AT&T destroys a 17 year customer

Dear

I have been a customer of ATT wireless for about 17 years. A landline buisness customer for ove r10 years, too.

In my book, I value loyalty and this is why I am bringing this to your attention before I contact the Illinois Attorney General, FCC and other appropriate agencies.

First for almost 3 years, I have been trying to get excessive amount ATT over bill and extorted on my credit card. No one will give me the money. I believe this could be wire fraud.

Secondly I tried converting 2 of my 4 lines to Ooma, a VOIP phone company. Which initially someone in corporate relations was trying to convince me to keep with ATT and I explained it would cheaper and I would have more control, these 2 numbers have been using ATT fast forward for years. I have not used these phones or change them for over a year. I tried getting these phone numbers ported. ATT keep rejecting the porting. I provided Ooma with my password and copies of the bills and rejection continued. I had a 60 day refund for part of the system and after 57 days trying to get my numbers ported. I was forced to cut my loss and stop the porting process with Ooma. I still was out some money and a lot of time.

Now the problems start getting VERY Costly. Somehow the number which my vanity number (was a land line port over to ATT about 4 years ago) 847-768-0000 which is the number on all my cards, call backs and advertising, the fast forward call forwarding was canceled and my phone calls were going to a voicemail on the 847-768-0000. I have not used this voicemail for over 4 years. I did not know when clients, prospects and referral partners were calling me and leaving messages because it was not forwarded to my 847-744-5626 number. This cost me thousands of dollars and at least one referral partner.

When I told ATT corporate department, they said ATT did nothing, it was my entire fault. The phone is packed away in a storage room without electricity. The fast forward unit is somewhere else. So how I created electricity from now where and connect a device that was at least 5 miles for the other device. If I could bottle this we would not have any energy problems for ever. The said that is what must have happened because ATT is perfect and did nothing.

I can't even connect the Fast Froward because I cannot find all the components which ATT said I connected last month. Houdini would be proud of me using telepathic powers, creating electricity and connecting devices which are miles apart and not plugged in and need to be connected.

This is totally disgusting, the way you treat a loyal customer probable in the top 1% of cell phone loyalty in your entire company.

Please contact me as soon as possible before I am forced to contact the authorities. I tried to call you and they would not connect or give me your email address.

I just spoke to Jim at Executive department the person who was suppose to get the \$300 or connect me with the person 2 ½ years ago. I am still waiting! He said I will get a call back from ATT land line and that he has nothing to do with this even though this is ATT. Last time he said this I waited 2 years made was put on hold for hours and still you have my money. So here we go again. He confirmed that all the problems above were MY FAULT and ATT was PERFECT. WOW!!!

If I owed you \$300 for almost 3 years, the following would have happened

- 1) You would have destroyed my credit
- 2) Put my account in collections
- 3) Been charged hundreds of dollars in late charges
- 4) Collection companies would be harassing me
- 5) More

Since you overcharged and extorted money from my credit card, it is ok and I should either forget about it let ATT keep the illegal money from me or spend weeks of my time and expense to try to get it from ATT.

How can a company treat someone like this, also in the past I help ATT with beta testing phones which I volunteer my time for this.

Sincerely

Jim Chelmowski

847-768-0000

847-744-5626



GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Monday, May 17, 2010 1:17 PM
To: JACOB, NAYREE Y
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Nayree – Per our discussion, let's knock this one out today, if at all possible.

Troy Rudloff
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Mobile: 404-202-4161

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Mobile: 404-202-4161

From: RUDLOFF, TROY (ATTCINW)
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EX-0446

To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
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Mbl: 404-202-4161

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AT&T Mobility
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Mbl: 404-202-4161

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EX-0448

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Manager Office of the President/Executive AppealsAT&T Mobility
North Central Region

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Sent: Wednesday, May 12, 2010 2:04 PM
To: YOUNG, MICHELE D (ATTOPS); Customer Advocacy Midwest; CAMBERIS, JAMES (ATTCINW)
Cc: WILSON, BRENDA K (ATTOPS); WILSON, LESLIE A (ATTASIAIT); STROHL, JENNIFER (ATTOPS)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

All,

We all ready have this. Jim Camberis is addressing wireless issues and I am addressing the check of \$305.88 from 9/07 final bill that we issued when the customer ported service away from AT&T.

I spoke with the customer this morning. Jim has spoken with the customer several times. The customer has sent emails to Mr. Stephenson, Mr. Ray Wilkins and the stockholders already today, same as below.

We will update all of you. My first thought on the Wireline side is the check 6713732081 9/16/07 for \$305.88 was made out to Gateway Mortgage Group and possibly Mr. Chelmowski can't cash it, but it is only my first thought. I will fact-find to be sure.

Thanks
Vicki

From: YOUNG, MICHELE D (ATTOPS)
Sent: Wednesday, May 12, 2010 2:54 PM
To: Customer Advocacy Midwest
Cc: WILSON, BRENDA K (ATTOPS); WILSON, LESLIE A (ATTASIAIT); STROHL, JENNIFER (ATTOPS)
Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski)
Importance: High

Midwest - Would appreciate your investigation and handling of the complaint below. Please provide feedback to Lisa, with a copy to Brenda and me, once this customer has been contacted for resolution. Thank you.

Michele Young <><
EX-0449

Assistant to Brenda K. Wilson
Executive Director
AT&T Customer Advocacy Executive Office
☎ 314-235-9600
☎ 800-283-6407

ATTN: Advocacy (Internal Use Only)

ATTN: Internal Business Unit (ATTN: Advocacy) (Internal Use Only)

ATTN: Internal Business Unit (ATTN: Advocacy) (Internal Use Only)

From: FORKIN, LISA M (ATTMSI)
Sent: Wednesday, May 12, 2010 12:16 PM
To: WILSON, BRENDA K (ATTOPS)
Cc: YOUNG, MICHELE D (ATTOPS)
Subject: FW: AT&T destroys a 17 year customer

Please handle. Thank you.

From: FANCHER, JEFF (ATTSI)
Sent: Wednesday, May 12, 2010 12:15 PM
To: FORKIN, LISA M (ATTMSI)
Subject: FW: AT&T destroys a 17 year customer

Please forward to executive complaints.

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Secondly I tried converting 2 of my 4 lines to Ooma, a VOIP phone company. Which initially someone in corporate relations was trying to convince me to keep with ATT and I explained it would cheaper and I would have more control, these 2 numbers have been using ATT fast forward for years. I have not used these phones or change them for over a year. I tried getting these phone numbers ported. ATT keep rejecting the porting. I provided Ooma with my password and copies of the bills and rejection continued. I had a 60 day refund for part of the system and after 57 days trying to get my numbers ported. I was forced to cut my loss and stop the porting process with Ooma. I still was out some money and a lot of time.

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EX-0450

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I can't even connect the Fast Forward because I cannot find all the components which ATT said I connected last month. Houdini would be proud of me using telepathic powers, creating electricity and connecting devices which are miles apart and not plugged in and need to be connected.

This is totally disgusting, the way you treat a loyal customer probable in the top 1% of cell phone loyalty in your entire company.

Please contact me as soon as possible before I am forced to contact the authorities. I tried to call you and they would not connect or give me your email address.

I just spoke to Jim at Executive department the person who was suppose to get the \$300 or connect me with the person 2 ½ years ago. I am still waiting! He said I will get a call back from ATT land line and that he has nothing to do with this even though this is ATT. Last time he said this I waited 2 years made was put on hold for hours and still you have my money. So here we go again. He confirmed that all the problems above were MY FAULT and ATT was PERFECT. WOW!!!

If I owed you \$300 for almost 3 years, the following would have happened

- 1) You would have destroyed my credit
- 2) Put my account in collections
- 3) Been charged hundreds of dollars in late charges
- 4) Collection companies would be harassing me
- 5) More

Since you overcharged and extorted money from my credit card, it is ok and I should either forget about it let ATT keep the illegal money from me or spend weeks of my time and expense to try to get it from ATT.

How can a company treat someone like this, also in the past I help ATT with beta testing phones which I volunteer my time for this.

Sincerely

Jim Chelmowski

847-768-0000

847-744-5626



GREEN, THOMAS J (Legal)

From: ANDERSON, SHIRLEY A
Sent: Monday, May 17, 2010 1:39 PM
To: DEMETER, JOYCE L (ATTOHB)
Cc: JACOB, NAYREE Y; RUDLOFF, TROY; CAMBERIS, JAMES; MOSS, VICKI (ATTASIAIT)
Subject: re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Joyce,

If possible can you take a look at this one today please?

Thanks
Shirley

From: JACOB, NAYREE Y (ATTCINW)
Sent: Monday, May 17, 2010 1:20 PM
To: ANDERSON, SHIRLEY A (ATTASIAIT); RUDLOFF, TROY (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Shirley,

Is there contact information for the Billing Specialist? Just looking to see if I can contact he/she to follow up today?

Thanks,
Nayree

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 12:06 PM
To: RUDLOFF, TROY (ATTCINW)
Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Vicki has referred the issue regarding the check to an Exec Office Billing Specialist for investigation.

This is Vicki's note from 5/13:

Left vm that I have all of the emails to our officers and as discussed yesterday with him I am addressing the check issue of 2007 and Jim Camberis in wireless is addressing his other concerns.

It does not really say when she is to follow up with the customer, but I am assuming on Wed as that was what she indicated in her vm to me.

Shirley Anderson
Manager, Customer Appeals

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 11:14 AM
To: ANDERSON, SHIRLEY A (ATTASIAIT)
Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498
EX-0453

Please do, Shirley. Nayree on my team will be following up with you for an update and provide help to get resolution. Thanks for all your help!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 8:53 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Sorry, I am not sure. I really don't know anything about the case. I can look through her case notes if needed.

Shirley Anderson
Manager, Customer Appeals

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 9:51 AM
To: ANDERSON, SHIRLEY A (ATTASIAIT)
Cc: JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Thanks for the quick response, Shirley. Was Wednesday follow-up requested by the customer? If Mr. Chelmowski is waiting on us for a response, I'll be happy to work to resolution today (once updated with status).

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: ANDERSON, SHIRLEY A (ATTASIAIT)
Sent: Monday, May 17, 2010 8:49 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Troy,

She left a message and said she would follow up on Wednesday... but I believe also said Jim Camberis is working on his issues?

Shirley

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 9:37 AM
To: ANDERSON, SHIRLEY A (ATTASIAIT)
Cc: CAMBERIS, JAMES (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498
Importance: High

Hi Shirley
EX-0454

I just received Vicki's out of office message. Who is contacting Mr. Chelmowski in Vicki's absence?

Thank you,

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 8:36 AM
To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Good morning, Vicki and Jim. What is the latest?

I apologize for nagging you on this one... I'm only contacting you for updates every 3rd time I receive a request from Leadership. ☺ Lot of eyes are on this one, so please let me know if:

1. There's additional work to be done that I can help with.
2. You're having difficulty navigating internal channels – I might be able to help you escalate.

Thanks again!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: MOSS, VICKI (ATTASIAIT)
Sent: Friday, May 14, 2010 7:41 AM
To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Troy,

We have not completed our review. As soon as we do, all will be updated.

Thanks,
Vicki

From: RUDLOFF, TROY (ATTCINW)
Sent: Friday, May 14, 2010 8:29 AM
To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Subject: Re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Thanks for the follow up, Vicki. Was the original check cashed? What do we plan to offer for resolution for him?

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: MOSS, VICKI (ATTASIAIT)
To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Sent: Fri May 14 06:41:08 2010
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Good Morning,

Jim Camberis and I talked yesterday. I did make a second call to Mr. Chelmowski that I was in receipt of "all" of his emails to "all" of our officers and Board of Directors. I advised him on voice mail and stated again of my conversation with him the day before that I'm looking into the 2007 check issue and will be back with him. Also, that Jim Camberis is addressing his other issues. I believe Jim was going to be out of the office today but we are in contact with each other.

We will keep you posted as to resolution with him.

Thanks
Vicki

From: RUDLOFF, TROY (ATTCINW)
Sent: Thursday, May 13, 2010 7:44 PM
To: MOSS, VICKI (ATTASIAIT); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW)
Subject: Re: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Vicki and Jim,

What's the latest with Mr. Chelmowski?

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: MOSS, VICKI (ATTASIAIT)
To: RUDLOFF, TROY (ATTCINW); JACOB, NAYREE Y (ATTCINW)
Cc: CAMBERIS, JAMES (ATTCINW); MOSS, VICKI (ATTASIAIT)
Sent: Thu May 13 07:50:27 2010
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Troy,

It is a partnership. I (being telco) am addressing the refund check of 2007 for \$305.88. Jim is addressing the other issues.

Please feel free to let us know if you need anything else from us.

EX-0456

Thanks
Vicki

From: RUDLOFF, TROY (ATTCINW)
Sent: Wednesday, May 12, 2010 11:06 PM
To: CAMBERIS, JAMES (ATTCINW); JACOB, NAYREE Y (ATTCINW); MOSS, VICKI (ATTASIAIT)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Hi Jim and Vicki,

Thank you so much for taking the lead with Mr. Chelmowski. Nayree and I were asked by my boss, Dave Fine, and Ralph De La Vega to contact Mr. Chelmowski and resolve his open items by EOD tomorrow. Given this history you have with Mr. Chelmowski, it appears that I would not help in achieving this customer's perception of "One AT&T" by getting involved any more than you ask me to. In my response back to Dave and Ralph, who can I tell them owns resolution?

Thanks again and please let me know how I can support you!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: CAMBERIS, JAMES (ATTCINW)
Sent: Wednesday, May 12, 2010 4:59 PM
To: JACOB, NAYREE Y (ATTCINW)
Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

Jim Camberis
Manager Office of the President/Executive AppealsAT&T Mobility
North Central Region

From: MOSS, VICKI (ATTASIAIT) **On Behalf Of** Customer Advocacy Midwest
Sent: Wednesday, May 12, 2010 2:04 PM
To: YOUNG, MICHELE D (ATTOPS); Customer Advocacy Midwest; CAMBERIS, JAMES (ATTCINW)
Cc: WILSON, BRENDA K (ATTOPS); WILSON, LESLIE A (ATTASIAIT); STROHL, JENNIFER (ATTOPS)
Subject: RE: AT&T destroys a 17 year customer (Jim Chelmowski) CITRIS IL1002498

All,

We all ready have this. Jim Camberis is addressing wireless issues and I am addressing the check of \$305.88 from 9/07 final bill that we issued when the customer ported service away from AT&T.

I spoke with the customer this morning. Jim has spoken with the customer several times. The customer has sent emails to Mr. Stephenson, Mr. Ray Wilkins and the stockholders already today, same as below.

We will update all of you. My first thought on the Wireline side is the check 6713732081 9/16/07 for \$305.88 was made out to Gateway Mortgage Group and possibly Mr. Chelmowski can't cash it, but it is only my first thought. I will fact-find to be sure.

Thanks

EX-0457

Vicki

From: YOUNG, MICHELE D (ATTOPS)
Sent: Wednesday, May 12, 2010 2:54 PM
To: Customer Advocacy Midwest
Cc: WILSON, BRENDA K (ATTOPS); WILSON, LESLIE A (ATTASIAIT); STROHL, JENNIFER (ATTOPS)
Subject: FW: AT&T destroys a 17 year customer (Jim Chelmowski)
Importance: High

Midwest - Would appreciate your investigation and handling of the complaint below. Please provide feedback to Lisa, with a copy to Brenda and me, once this customer has been contacted for resolution. Thank you.

Michele Young <>>

Assistant to Brenda K. Wilson

Executive Director

AT&T Customer Advocacy Executive Office

☎ 314-235-9600

☎ 800-283-6407

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From: FORKIN, LISA M (ATTMSI)
Sent: Wednesday, May 12, 2010 12:16 PM
To: WILSON, BRENDA K (ATTOPS)
Cc: YOUNG, MICHELE D (ATTOPS)
Subject: FW: AT&T destroys a 17 year customer

Please handle. Thank you.

From: FANCHER, JEFF (ATTSI)
Sent: Wednesday, May 12, 2010 12:15 PM
To: FORKIN, LISA M (ATTMSI)
Subject: FW: AT&T destroys a 17 year customer

Please forward to executive complaints.

From: Jim Chelmowski [mailto:jim@expertfinancing.com]
Sent: Wednesday, May 12, 2010 1:10 PM
To: jeff.fancher@att.com
Subject: AT&T destroys a 17 year customer

Dear

I have been a customer of ATT wireless for about 17 years. A landline buisness customer for ove r10 years, too.

In my book, I value loyalty and this is why I am bringing this to your attention before I contact the Illinois Attorney General, FCC and other appropriate agencies.

EX-0458

First for almost 3 years, I have been trying to get excessive amount ATT over bill and extorted on my credit card. No one will give me the money. I believe this could be wire fraud.

Secondly I tried converting 2 of my 4 lines to Ooma, a VOIP phone company. Which initially someone in corporate relations was trying to convince me to keep with ATT and I explained it would cheaper and I would have more control, these 2 numbers have been using ATT fast forward for years. I have not used these phones or change them for over a year. I tried getting these phone numbers ported. ATT keep rejecting the porting. I provided Ooma with my password and copies of the bills and rejection continued. I had a 60 day refund for part of the system and after 57 days trying to get my numbers ported. I was forced to cut my loss and stop the porting process with Ooma. I still was out some money and a lot of time.

Now the problems start getting VERY Costly. Somehow the number which my vanity number (was a land line port over to ATT about 4 years ago) 847-768-0000 which is the number on all my cards, call backs and advertising, the fast forward call forwarding was canceled and my phone calls were going to a voicemail on the 847-768-0000. I have not used this voicemail for over 4 years. I did not know when clients, prospects and referral partners were calling me and leaving messages because it was not forwarded to my 847-744-5626 number. This cost me thousands of dollars and at least one referral partner.

When I told ATT corporate department, they said ATT did nothing, it was my entire fault. The phone is packed away in a storage room without electricity. The fast forward unit is somewhere else. So how I created electricity from now where and connect a device that was at least 5 miles for the other device. If I could bottle this we would not have any energy problems for ever. The said that is what must have happened because ATT is perfect and did nothing.

I can't even connect the Fast Forward because I cannot find all the components which ATT said I connected last month. Houdini would be proud of me using telepathic powers, creating electricity and connecting devices which are miles apart and not plugged in and need to be connected.

This is totally disgusting, the way you treat a loyal customer probable in the top 1% of cell phone loyalty in your entire company.

Please contact me as soon as possible before I am forced to contact the authorities. I tried to call you and they would not connect or give me your email address.

I just spoke to Jim at Executive department the person who was suppose to get the \$300 or connect me with the person 2 ½ years ago. I am still waiting! He said I will get a call back from ATT land line and that he has nothing to do with this even though this is ATT. Last time he said this I waited 2 years made was put on hold for hours and still you have my money. So here we go again. He confirmed that all the problems above were MY FAULT and ATT was PERFECT. WOW!!!

If I owed you \$300 for almost 3 years, the following would have happened

- 1) You would have destroyed my credit
 - 2) Put my account in collections
 - 3) Been charged hundreds of dollars in late charges
 - 4) Collection companies would be harassing me
 - 5) More
- EX-0459

Since you overcharged and extorted money from my credit card, it is ok and I should either forget about it let ATT keep the illegal money from me or spend weeks of my time and expense to try to get it from ATT.

How can a company treat someone like this, also in the past I help ATT with beta testing phones which I volunteer my time for this.

Sincerely

Jim Chelmowski

847-768-0000

847-744-5626



GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Monday, February 28, 2011 8:39 AM
To: BURSE, TENE B; CAMBERIS, JAMES; GRADY, LATANYA J; OOP-North Central
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Importance: High

Forwarding my request below per Jim's out of office reply. Thank you.

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

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From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, February 28, 2011 7:38 AM
To: FORBES, DEBORAH S (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Cc: MATTHEWS, KEVIN (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Importance: High

Thank you, Debby, and thank you, Jim.

Jim – We now owe Ralph, Paul, Kent and Dave a high-level, fact-based recap of our recent experience with Mr. Chelmowski. To help them understand Mr. Chelmowski's situation, this summary would include the highlights of his last escalation, where I believe he also claimed his intellectual property on the fast forward feature was stolen from him and he was due XX thousands of dollars in lost revenues. If I remember correctly, the feature dropped from his account last time due to customer non-payment, too? Please help me in putting together this recap for Ralph.

Thank you very much!

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

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From: FORBES, DEBORAH S (ATTCINW)
Sent: Monday, February 28, 2011 7:30 AM
To: RUDLOFF, TROY (ATTCINW)
Cc: MATTHEWS, KEVIN (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Good morning Troy,

Jim Camberis' team is handling the OOP case. I have sent an email to Jim for an update on the case.

Thanks,

Debby Forbes

AT&T Mobility
Manager-North Central Region
President Support Team
Office: (606) 925-6215
Cell: (606) 316-4315

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From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, February 28, 2011 8:20 AM
To: MATTHEWS, KEVIN (ATTCINW); FORBES, DEBORAH S (ATTCINW)
Cc: FINE, DAVID B (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Importance: High

Kevin and Deborah,

Following up my email from this weekend and voicemail from this morning. As you can see below, we owe Ralph a status and next steps for Mr. Chelmowski's situation ASAP. Please advise who from the OOP owns, what the next steps are, and how I can help you bring this to closure with the best possible outcome.

Thank you,

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

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From: FINE, DAVID B (ATTCINW)
Sent: Monday, February 28, 2011 7:07 AM

ATT-0184
CONFIDENTIAL

To: RUDLOFF, TROY (ATTCINW)

Subject: Fwd: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

We need to get with Kevin and team ASAP to resolve.

Sent to you by AT&T ...America's Fastest Mobile Broadband Network.
Rethink Possible

Begin forwarded message:

From: "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>

Date: February 28, 2011 6:53:09 AM CST

To: "FINE, DAVID B (ATTCINW)" <DF2179@att.com>

Cc: "ROTH, PAUL (ATTCINW)" <pr9536@att.com>, "MATHY, KENT (ATTCINW)" <km5616@att.com>

Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

David, get to the bottom of this situation and let me know the outcome.

Ralph

From: jim [mailto:jim@expertfinancing.com]

Sent: Sunday, February 27, 2011 11:50 PM

To: DE LA VEGA, RALPH (ATTCINW)

Subject: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

You should be aware of WHAT YOUR EXECUTIVE TEAM IS DOING!

When you open this email in the morning, I will still be out of business after waiting 90 hours from when I notified ATT the problem. (over 30 days of not getting my calls) Not a few hours but 90 hours!!!!

I am very much at risk of losing my job besides all the money I lost because of AT. I have lost clients and referral partners because of ATT negligence.

You blame me for EVERYTHING, how could you SHUT DOWN MY BUSINESS LIKE THIS!!!!!!

YOUR EXECUTIVE TEAM has done nothing in 90 hours!!!!

Please provide me the ATT revenue for 90 hours since you believe your customers business means absolutely nothing.

You are forcing me seek other serious actions, since your executive office absolutely has no concern about me (and probably many other customers). I will have to call the appropriate government agency and probably the press plus find out over major internet campaign other customers who were abused by ATT (potentially class action) and your competitors.

How could I be so STUPID to give you 17 years of loyalty and you did something so spiteful and damaging back to me,

There is absolutely no way you can blame me for your actions like you have done in the past. I have plenty of documentation of your spite, negligence, etc.

I was so happy to hear that some many ATT execs were out having fun at ATT while I was suffering. ATT will do NOTHING to me back up in running. How arrogant.

-----Original Message-----

From: Jim Chelmowski [mailto:chelmowski@comcast.net]

Sent: Saturday, February 26, 2011 2:25 PM

To: 'RUDLOFF, TROY (ATTCINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com'; 'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com'; 'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com'; 'christopher.womack@att.com'; 'jeston.dumas@att.com'; 'jacob.a.lee@att.com'

Subject: RE: ATT destroys loyal customer and will not get his paid services working after waiting 48 hours.

Importance: High

Hi

It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

I still have no access to my voice mail and ALL business calls cannot get to me.

YOU shut my business down for over a month. Now ATT refuses to help and shut my business down longer!!!

I have been a loyal customer of ATT for over 17 years.

Some of my friends are looking to ways to help since ATT continues to BLAME me for not DOING ANYTHING.

If I cannot get my voicemail and my phones immediately. I will forced to take actions against ATT. You are bankrupting me. Apparently it does not matter.

This is the most unprofessional and blatant destruction of a loyal customer. I would think all the government agency, press and competitors would love to have this information.

The clock is ticking and damages are accruing.

It was amazing the voicemail I received from corporate since a couple people were out to the office, that my business should be shutdown longer and ATT will do NOIHING.

May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM
EX-0465

To: jimc@expertfinancing.com; jim@expertfinancing.com

Subject: Re:

Hi Mr. Chelmowski,

I apologize that you didn't receive my email below when I first sent it. I escalated and confirmed with the Office of the President that they will call you by end of today and will hold us to that. Please advise if you don't hear from them by late afternoon.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <jimc@expertfinancing.com>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

Hi Troy

I have documentation that my 847-768-0000 was going to be a straight call forward setup by AT%&T

AT&T was aware I did not have a phone being used on this account.

I need results. This costing me more money by the minute.

Jim

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Thursday, February 24, 2011 11:02 PM

To: jim@expertfinancing.com

Subject: Fw:

Hi Mr. Chelmowski,

Resending as I received a delivery error notification on my email below. Please let me know that you received this at your convenience. Deborah is escalating to the Office of the President per your request.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: 'jimc@expertfinancing.com' <jimc@expertfinancing.com>

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161



GREEN, THOMAS J (Legal)

From: FORBES, DEBORAH S
Sent: Monday, February 28, 2011 8:28 AM
To: CAMBERIS, JAMES
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Importance: High

Jim, do we have an update on Mr. Chelmowski's issue. He has emailed directly to Ralph De La Vega about the issue and Ralph and David Fine are wanting to know where we stand.

Thanks,
Debby Forbes
AT&T Mobility
Manager North Central Region
President Support Team
Office: (606) 925-6215
Cell: (606) 316-4315

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Not for use or disclosure outside of the AT&T companies except for written agreement*

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, February 28, 2011 8:20 AM
To: MATTHEWS, KEVIN (ATTCINW); FORBES, DEBORAH S (ATTCINW)
Cc: FINE, DAVID B (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Importance: High

Kevin and Deborah,

Following up my email from this weekend and voicemail from this morning. As you can see below, we owe Ralph a status and next steps for Mr. Chelmowski's situation ASAP. Please advise who from the OOP owns, what the next steps are, and how I can help you bring this to closure with the best possible outcome.

Thank you,

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

except under written agreement
This message and any attachments to it contain confidential business information intended solely for the recipients. If you have received this e-mail in error please do not forward or distribute it to anyone else, but telephone 847-765-6282 to report the error, and then delete this message from your system.

From: FINE, DAVID B (ATTCINW)
Sent: Monday, February 28, 2011 7:07 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: Fwd: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

We need to get with Kevin and team ASAP to resolve.

Sent to you by AT&T ...America's Fastest Mobile Broadband Network.
Rethink Possible

Begin forwarded message:

From: "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>
Date: February 28, 2011 6:53:09 AM CST
To: "FINE, DAVID B (ATTCINW)" <DF2179@att.com>
Cc: "ROTH, PAUL (ATTCINW)" <pr9536@att.com>, "MATHY, KENT (ATTCINW)" <km5616@att.com>
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

David, get to the bottom of this situation and let me know the outcome.

Ralph

From: jim [mailto:jim@expertfinancing.com]
Sent: Sunday, February 27, 2011 11:50 PM
To: DE LA VEGA, RALPH (ATTCINW)
Subject: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

You should be aware of WHAT YOUR EXECUTIVE TEAM IS DOING!

When you open this email in the morning, I will still be out of business after waiting 90 hours from when I notified ATT the problem. (over 30 days of not getting my calls) Not a few hours but 90 hours!!!!

I am very much at risk of losing my job besides all the money I lost because of AT. I have lost clients and referral partners because of ATT negligence.

You blame me for EVERYTHING, how could you SHUT DOWN MY BUSINESS LIKE THIS!!!!!!

EX-0471

YOUR EXECUTIVE TEAM has done nothing in 90 hours!!!!

Please provide me the ATT revenue for 90 hours since you believe your customers business means absolutely nothing.

You are forcing me seek other serious actions, since your executive office absolutely has no concern about me (and probably many other customers). I will have to call the appropriate government agency and probably the press plus find out over major internet campaign other customers who were abused by ATT (potential class action) and your competitors.

How could I be so STUPID to give you 17 years of loyalty and you did something so spiteful and damaging back to me,

There is absolutely no way you can blame me for your actions like you have done in the past. I have plenty of documentation of your spite, negligence, etc.

I was so happy to hear that some many ATT execs were out having fun at ATT while I was suffering. ATT will do NOTHING to me back up in running. How arrogant.

-----Original Message-----

From: Jim Chelmowski [mailto:chelmowski@comcast.net]

Sent: Saturday, February 26, 2011 2:25 PM

To: 'RUDLOFF, TROY (ATTCINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com'; 'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com'; 'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com'; 'christopher.womack@att.com'; 'jeston.dumas@att.com'; 'jacob.a.lee@att.com'

Subject: RE: ATT destroys loyal customer and will not get his paid services working after waiting 48 hours.

Importance: High

Hi

It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

I still have no access to my voice mail and ALL business calls cannot get to me.

YOU shut my business down for over a month. Now ATT refuses to help and shut my business down longer!!!

I have been a loyal customer of ATT for over 17 years.

Some of my friends are looking to ways to help since ATT continues to BLAME me for not DOING ANYTHING.

If I cannot get my voicemail and my phones immediately. I will forced to take actions against ATT. You are bankrupting me. Apparently it does not matter.

This is the most unprofessional and blatant destruction of a loyal customer. I would think all the government agency, press and competitors would love to have this information.

The clock is ticking and damages are accruing.

It was amazing the voicemail I received from corporate since a couple people were out to the office, that my business should be shutdown longer and ATT will do NOIHING.

May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM

To: jimc@expertfinancing.com; jim@expertfinancing.com

Subject: Re:

Hi Mr. Chelmowski,

I apologize that you didn't receive my email below when I first sent it. I escalated and confirmed with the Office of the President that they will call you by end of today and will hold us to that. Please advise if you don't hear from them by late afternoon.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <jimc@expertfinancing.com>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

Hi Troy

Is there a reason you are not returning emails or calls?

I have documentation that my 847-768-0000 was going to be a straight call forward setup by AT%&T

AT&T was aware I did not have a phone being used on this account.

I need results. This costing me more money by the minute.

Jim

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Thursday, February 24, 2011 11:02 PM

To: jim@expertfinancing.com

Subject: Fw:

Hi Mr. Chelmowski,

Resending as I received a delivery error notification on my email below. Please let me know that you received this at your convenience. Deborah is escalating to the Office of the President per your request.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: 'jimc@expertfinancing.com' <jimc@expertfinancing.com>

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161
EX-0476



GREEN, THOMAS J (Legal)

From: CAMPER, NATE
Sent: Monday, February 28, 2011 9:27 AM
To: CAMBERIS, JAMES
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Jim – when Ronald gets in can you check with him to see if he received feedback from legal regarding the handling of the Mr. Chelmowski?

Thanks

Nate Camper

Area Manager - Office Of The President

Notice: This email and any files transmitted with it are the property of AT&T Inc. and/or its affiliates, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender at 501.862.2002 and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: LETNAUNCHYN, JUSTINA M (ATTCINW)
Sent: Monday, February 28, 2011 8:17 AM
To: CAMPER, NATE (ATTCINW)
Cc: SHACKELFORD, RANDOLPH (ATTCINW)
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Nate, could you follow up with Jim on this one and send an update. Ronald's notes only state the below:

OOP.. rec'd exec email to contact customer regarding a call forwarding issue. Advised the customer that we received his request for a callback and are looking into the issue. The customer became abusive, demanding that all lost voice messages be delivered to him and compensation for all the lost business that he has experienced. OOP again tried to advise that this is being looked into, however customer continued to scream and ended call ron anderson/ooop

From: LETNAUNCHYN, JUSTINA M (ATTCINW) **On Behalf Of** SHACKELFORD, RANDOLPH (ATTCINW)
Sent: Monday, February 28, 2011 9:15 AM
To: PRIEBE, LEANN (ATTCINW)
Cc: CAMPER, NATE (ATTCINW); SHACKELFORD, RANDOLPH (ATTCINW)
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Good morning LeAnn

Yes, our office has the complaint. In reviewing the account, our office made contact with the customer on Friday.

We will provide a detailed status update shortly.

Let us know if you need anything else. Thanks!

Justina Letnaunchyn
Assistant to Randy Shackelford
Office of the President Director
Phone: (717) 526-5144
Fax: (717) 526-5081

From: PRIEBE, LEANN (ATTCINW)
Sent: Monday, February 28, 2011 9:07 AM
To: SHACKELFORD, RANDOLPH (ATTCINW)
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Randy,

Is your team working this?

Thank you.
LeAnn

From: STANKEY, JOHN T (ATTMSI)
Sent: Monday, February 28, 2011 5:30 AM
To: PRIEBE, LEANN (ATTCINW)
Subject: Fwd: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

John Stankey
AT&T Business Solutions

Begin forwarded message:

From: "jim" <jim@expertfinancing.com>
Date: February 27, 2011 10:49:43 PM CST
To: <John.Stankey@att.com>
Subject: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Reply-To: <jim@expertfinancing.com>

You should be aware of WHAT YOUR EXECUTIVE TEAM IS DOING!

When you open this email in the morning, I will still be out of business after waiting 90 hours from when I notified ATT the problem. (over 30 days of not getting my calls) Not a few hours but 90 hours!!!!

I am very much at risk of losing my job besides all the money I lost because of AT. I have lost clients and referral partners because of ATT negligence.

You blame me for EVERYTHING, how could you SHUT DOWN MY BUSINESS LIKE THIS!!!!!!
EX-0479

YOUR EXECUTIVE TEAM has done nothing in 90 hours!!!!

Please provide me the ATT revenue for 90 hours since you believe your customers business means absolutely nothing.

You are forcing me seek other serious actions, since your executive office absolutely has no concern about me (and probably many other customers). I will have to call the appropriate government agency and probably the press plus find out over major internet campaign other customers who were abused by ATT (potential class action) and your competitors.

How could I be so STUPID to give you 17 years of loyalty and you did something so spiteful and damaging back to me,

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I was so happy to hear that some many ATT execs were out having fun at ATT while I was suffering. ATT will do NOTHING to me back up in running. How arrogant.

-----Original Message-----

From: Jim Chelmowski [mailto:chelmowski@comcast.net]

Sent: Saturday, February 26, 2011 2:25 PM

To: 'RUDLOFF, TROY (ATTINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com'; 'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com'; 'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com'; 'christopher.womack@att.com'; 'jaston.dumas@att.com'; 'jacob.a.lee@att.com'

Subject: RE: ATT destroys loyal customer and will not get his paid services working after waiting 48 hours.

Importance: High

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It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

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May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM

To: jimc@expertfinancing.com; jim@expertfinancing.com

Subject: Re:

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Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <jimc@expertfinancing.com>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

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I need results. This costing me more money by the minute.

Jim

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To: jim@expertfinancing.com

Subject: Fw:

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Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: 'jimc@expertfinancing.com' <jimc@expertfinancing.com>

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161
EX-0484



GREEN, THOMAS J (Legal)

From: JACOB, NAYREE Y
Sent: Monday, February 28, 2011 11:19 AM
To: CAMBERIS, JAMES
Subject: FW: Fwd: AT&T destroys a 17 year customer - Third Request
Attachments: Mr. Chelmowski; Re: Mr. Chelmowski; Re: Mr. Chelmowski; Re: Mr. Chelmowski; Re: Mr. Chelmowski; RE: Mr. Chelmowski; RE: Mr. Chelmowski

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 5:29 PM
To: JACOB, NAYREE Y (ATTCINW)
Subject: Re: Fwd: AT&T destroys a 17 year customer - Third Request

In Dave's office- we got a hold of him.

The \$305.XX check is #6713752081, written on 9/26/2007. Please see if this helps them track it down and find out if it has been cashed.

Thanks again!

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: JACOB, NAYREE Y (ATTCINW)
To: RUDLOFF, TROY (ATTCINW)
Sent: Mon May 17 16:43:09 2010
Subject: RE: Fwd: AT&T destroys a 17 year customer - Third Request

I called him and left a message to call me back

From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, May 17, 2010 2:57 PM
To: JACOB, NAYREE Y (ATTCINW)
Subject: Fw: Fwd: AT&T destroys a 17 year customer - Third Request

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: FINE, DAVID B (ATTCINW)
To: RUDLOFF, TROY (ATTCINW)

Sent: Mon May 17 15:55:18 2010
Subject: Fwd: AT&T destroys a 17 year customer - Third Request

Sent from my iPhone

Begin forwarded message:

From: "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>
Date: May 17, 2010 2:26:11 PM CDT
To: "FINE, DAVID B (ATTCINW)" <DF2179@att.com>
Cc: "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>
Subject: FW: AT&T destroys a 17 year customer - Third Request

Dave – please advise status, he is emailing again, thanks - Julie

From: Jim Chelmowski [mailto:jim@expertfinancing.com]
Sent: Monday, May 17, 2010 2:30 PM
To: DE LA VEGA, RALPH (ATTCINW)
Subject: AT&T destroys a 17 year customer - Third Request

Dear Ralph

I am getting more upset that no one is address my problems. AT&T track record with me, indicates this went in the dead file again. I currently waiting years for my refund after a number of calls and sent into endless phone loops. My phone after telling AT&T that I wanted to port my number. At&T refused the request a number of times even when the proovider had my password and phone bill.

I also have been told, you should produce the agreement that you had authorization from me to produce and send to market phone equipment and services from my ideas, when I was beta testing and discussed potential products. I received no compenaation or royalites.

What do I need to do? How long you expect me to wait days, months years or for ever?

Sincerley,

Jim Chelmowski

Dear Ralph

I am surprised that I have not received a response or just a courtesy reply in any way to my prior email. Especially since I am waiting over 3 years for my money, you took from me.

EX-0487

As a 17 year customer and person who has saved ATT (Cingular) money as a Beta Tester and also helped with ideas on a product that was delivered to market.

You can't even respond. Because of my personal and business values, before I need to take future action. It appears again ATT has no value of their customer and loyalty is only one-sided.

You are leaving me with no other options.

Sincerely

Jim Chelmowski

Previous EMAIL Sent

Dear

I have been a customer of ATT wireless for about 17 years. A landline business customer for over 10 years, too.

In my book, I value loyalty and this is why I am bringing this to your attention before I contact the Illinois Attorney General, FCC and other appropriate agencies.

First for almost 3 years, I have been trying to get excessive amount ATT over bill and extorted on my credit card. No one will give me the money. I believe this could be wire fraud.

Secondly I tried converting 2 of my 4 lines to Ooma, a VOIP phone company. Which initially someone in corporate relations was trying to convince me to keep with ATT and I explained it would be cheaper and I would have more control, these 2 numbers have been using ATT fast forward for years. I have not used these phones or change them for over a year. I tried getting these phone numbers ported. ATT keep rejecting the porting. I provided Ooma with my password and copies of the bills and rejection continued. I had a 60 day refund for part of the system and after 57 days trying to get my numbers ported. I was forced to cut my loss and stop the porting process with Ooma. I still was out some money and a lot of time.

Now the problems start getting VERY costly. Somehow the number which my vanity number (was a land line port over to ATT about 4 years ago) 847-768-0000 which is the number on all my cards, call backs and advertising, the fast forward call forwarding was canceled and my phone calls were going to a voicemail on the 847-768-0000. I have not used this voicemail for over 4 years. I did not know when clients, prospects and referral partners were calling me and leaving messages because it was not forwarded to my 847-744-5626 number. This cost me thousands of dollars and at least one referral partner.

When I told ATT corporate department, they said ATT did nothing, it was my entire fault. The phone is packed away in a storage room without electricity. The fast forward unit is somewhere else. So how I created electricity from now where and connect a device that was at least 5 miles

for the other device. If I could bottle this we would not have any energy problems for ever. The said that is what must have happened because ATT is perfect and did nothing.

I can't even connect the Fast Froward because I cannot find all the components which ATT said I connected last month. Houdini would be proud of me using telepathic powers, creating electricity and connecting devices which are miles apart and not plugged in and need to be connected.

This is totally disgusting, the way you treat a loyal customer probable in the top 1% of cell phone loyalty in your entire company.

Please contact me as soon as possible before I am forced to contact the authorities. I tried to call you and they would not connect or give me your email address.

I just spoke to Jim at Executive department the person who was suppose to get the \$300 or connect me with the person 2 ½ years ago. I am still waiting! He said I will get a call back from ATT land line and that he has nothing to do with this even though this is ATT. Last time he said this I waited 2 years made was put on hold for hours and still you have my money. So here we go again. He confirmed that all the problems above were MY FAULT and ATT was PERFECT. WOW!!!

If I owed you \$300 for almost 3 years, the following would have happened

- 1) You would have destroyed my credit
- 2) Put my account in collections
- 3) Been charged hundreds of dollars in late charges
- 4) Collection companies would be harassing me
- 5) More

Since you overcharged and extorted money from my credit card, it is ok and I should either forget about it let ATT keep the illegal money from me or spend weeks of my time and expense to try to get it from ATT.

How can a company treat someone like this, also in the past I help ATT with beta testing phones which I volunteer my time for this.

Sincerely

Jim Chelmowski

847-768-0000

847-744-5626



GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Tuesday, May 18, 2010 6:42 AM
To: FINE, DAVID B
Cc: JACOB, NAYREE Y
Subject: Mr. Chelmowski

Good morning, Dave,

Please give me a call or drop me a line when you're free to call Mr. Chelmowski or good to go with me calling him back on the Ooma ports. I'm in the city this morning- meeting with a lawyer on our condo association later this morning.

Thank you.

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: FINE, DAVID B
Sent: Tuesday, May 18, 2010 6:47 AM
To: RUDLOFF, TROY
Cc: JACOB, NAYREE Y
Subject: Re: Mr. Chelmowski

Will do, we need to confirm the check was not cashed and calculate the amount with interest and penalties as if we were late to pay a bill.

Sent from my iPhone

On May 18, 2010, at 5:41 AM, "RUDLOFF, TROY (ATTCINW)" <TR1483@att.com> wrote:

Good morning, Dave,

Please give me a call or drop me a line when you're free to call Mr. Chelmowski or good to go with me calling him back on the Ooma ports. I'm in the city this morning- meeting with a lawyer on our condo association later this morning.

Thank you.

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Tuesday, May 18, 2010 6:53 AM
To: FINE, DAVID B
Cc: JACOB, NAYREE Y
Subject: Re: Mr. Chelmowski

Nayree was helping to escalate that yesterday. I'll follow up with her this morning to find the answer. It has to be a lot easier to find now that we have the check # and date.

Nayree- please let me know if you don't get a straight answer by 9 or 10am. And thank you- I know you were already swamped yesterday- appreciate the Lagniappe!

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: FINE, DAVID B (ATTCINW)
To: RUDLOFF, TROY (ATTCINW)
Cc: JACOB, NAYREE Y (ATTCINW)
Sent: Tue May 18 06:46:52 2010
Subject: Re: Mr. Chelmowski

Will do, we need to confirm the check was not cashed and calculate the amount with interest and penalties as if we were late to pay a bill.

Sent from my iPhone

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Good morning, Dave,

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Ofc: 847-765-4695
Mbl: 404-202-4161

From: FINE, DAVID B (ATTCINW)
To: RUDLOFF, TROY (ATTCINW)
Cc: JACOB, NAYREE Y (ATTCINW)
Sent: Tue May 18 06:46:52 2010
Subject: Re: Mr. Chelmowski

Will do, we need to confirm the check was not cashed and calculate the amount with interest and penalties as if we were late to pay a bill.

Sent from my iPhone

On May 18, 2010, at 5:41 AM, "RUDLOFF, TROY (ATTCINW)" <TR1483@att.com> wrote:

Good morning, Dave,

Please give me a call or drop me a line when you're free to call Mr. Chelmowski or good to go with me calling him back on the Ooma ports. I'm in the city this morning- meeting with a lawyer on our condo association later this morning.

Thank you.

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Tuesday, May 18, 2010 6:55 AM
To: FINE, DAVID B
Cc: JACOB, NAYREE Y
Subject: Re: Mr. Chelmowski

... and Nayree also processed the other 2 \$150 credits while we were in your office last night.

270-816-0617
270-816-0618

He is good to go!

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

From: RUDLOFF, TROY (ATTCINW)
To: FINE, DAVID B (ATTCINW)
Cc: JACOB, NAYREE Y (ATTCINW)
Sent: Tue May 18 06:52:59 2010
Subject: Re: Mr. Chelmowski

Nayree was helping to escalate that yesterday. I'll follow up with her this morning to find the answer. It has to be a lot easier to find now that we have the check # and date.

Nayree- please let me know if you don't get a straight answer by 9 or 10am. And thank you- I know you were already swamped yesterday- appreciate the Lagniappe!

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
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EX-0495

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Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: FINE, DAVID B
Sent: Tuesday, May 18, 2010 7:15 AM
To: RUDLOFF, TROY
Cc: JACOB, NAYREE Y
Subject: Re: Mr. Chelmowski

Thank you!!!

Sent from my iPhone

On May 18, 2010, at 5:55 AM, "RUDLOFF, TROY (ATTCINW)" <TR1483@att.com> wrote:

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Troy Rudloff
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Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Tuesday, May 18, 2010 9:08 AM
To: JACOB, NAYREE Y
Subject: RE: Mr. Chelmowski

You're right. So our 2 tasks to put a lid on this one today:

1. See if the \$305.xx check was cashed.
2. Provide him his exact account information so there are no issues with his port.
3. Anything else?

Thanks again!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: JACOB, NAYREE Y (ATTCINW)
Sent: Tuesday, May 18, 2010 6:58 AM
To: RUDLOFF, TROY (ATTCINW)
Cc: FINE, DAVID B (ATTCINW)
Subject: Re: Mr. Chelmowski

Will do. As for helping him port out, all we can really do is give him his account information exactly how we have it, so there are no port conflicts. Once he initiates the port out, if there are issues I can work with the port team to figure out what's missing on our end.

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Thank you.

Troy Rudloff
IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Tuesday, May 18, 2010 11:04 AM
To: JACOB, NAYREE Y
Subject: RE: Mr. Chelmowski

Any word on the check, yet? If not, who is our contact, I'll start making phone calls until someone answers. Thank you!

Troy Rudloff
IL/WI Sales Operations
Office: 847-765-4695
Mobile: 404-202-4161

From: RUDLOFF, TROY (ATTCINW)
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Subject: RE: Mr. Chelmowski

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Nayree- please let me know if you don't get a straight answer by 9 or 10am. And thank you- I know you

EX-0501

were already swamped yesterday- appreciate the Lagniappe!

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IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

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Thank you.

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IL/WI Sales Operations
AT&T Mobility
Ofc: 847-765-4695
Mbl: 404-202-4161

GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Monday, February 28, 2011 9:06 AM
To: FORBES, DEBORAH S; CAMBERIS, JAMES
Cc: MATTHEWS, KEVIN
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

... I think it will also be important to note the last time Mr. Chelmowski paid a bill and the amount of money paid over the last 2 years. I believe he was issued a \$500 credit last May 2010, which may have covered all expenses through his non-payment in January 2011? His current request appears to be for additional monetary damages due to lost business.

Thank you,

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

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From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, February 28, 2011 7:38 AM
To: FORBES, DEBORAH S (ATTCINW); CAMBERIS, JAMES (ATTCINW)
Cc: MATTHEWS, KEVIN (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Importance: High

Thank you, Debby, and thank you, Jim.

Jim – We now owe Ralph, Paul, Kent and Dave a high-level, fact-based recap of our recent experience with Mr. Chelmowski. To help them understand Mr. Chelmowski's situation, this summary would include the highlights of his last escalation, where I believe he also claimed his intellectual property on the fast forward feature was stolen from him and he was due XX thousands of dollars in lost revenues. If I remember correctly, the feature dropped from his account last time due to customer non-payment, too? Please help me in putting together this recap for Ralph.

Thank you very much!

Troy Rudloff
IL/WI Sales Execution
Office: 847-765-4695
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From: FORBES, DEBORAH S (ATTCINW)
Sent: Monday, February 28, 2011 7:30 AM
To: RUDLOFF, TROY (ATTCINW)
Cc: MATTHEWS, KEVIN (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Good morning Troy,

Jim Camberis' team is handling the OOP case. I have sent an email to Jim for an update on the case.

Thanks,

Debby Forbes

AT&T Mobility
Manager-North Central Region
President Support Team
Office: (606) 925-6215
Cell: (606) 316-4315

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From: RUDLOFF, TROY (ATTCINW)
Sent: Monday, February 28, 2011 8:20 AM
To: MATTHEWS, KEVIN (ATTCINW); FORBES, DEBORAH S (ATTCINW)
Cc: FINE, DAVID B (ATTCINW)
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours
Importance: High

Kevin and Deborah,

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Thank you,

Troy Rudloff
IL/WI Sales Execution
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Mobile: 404-202-4161

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From: FINE, DAVID B (ATTCINW)
Sent: Monday, February 28, 2011 7:07 AM
To: RUDLOFF, TROY (ATTCINW)
Subject: Fwd: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

We need to get with Kevin and team ASAP to resolve.

Sent to you by AT&T ...America's Fastest Mobile Broadband Network.
Rethink Possible

Begin forwarded message:

From: "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>
Date: February 28, 2011 6:53:09 AM CST
To: "FINE, DAVID B (ATTCINW)" <DF2179@att.com>
Cc: "ROTH, PAUL (ATTCINW)" <pr9536@att.com>, "MATHY, KENT (ATTCINW)" <km5616@att.com>
Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

David, get to the bottom of this situation and let me know the outcome.

Ralph

From: jim [mailto:jim@expertfinancing.com]
Sent: Sunday, February 27, 2011 11:50 PM
To: DE LA VEGA, RALPH (ATTCINW)
Subject: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

You should be aware of WHAT YOUR EXECUTIVE TEAM IS DOING!

When you open this email in the morning, I will still be out of business after waiting 90 hours from when I notified ATT the problem. (over 30 days of not getting my calls) Not a few hours but 90 hours!!!!

I am very much at risk of losing my job besides all the money I lost because of AT. I have lost clients and referral partners because of ATT negligence.

You blame me for EVERYTHING, how could you SHUT DOWN MY BUSINESS LIKE THIS!!!!!!

YOUR EXECUTIVE TEAM has done nothing in 90 hours!!!!

Pleeee provide me the ATT revenue for 90 hours since you believe your customers business measn absoiulely nothing.

You are forcing me seek other serious actions, since your exective office absoululy has no concern about me (and probably many other customers). I will have to call the appropriate government agency and probably the press plus find out over majot ineternet campaign other customers who were abused by att (poteneualk class action) and your competitors.

How could I be so STUPID to give you 17 years of loyalty and you did something so spiteful and damaging back to me,

Ther is absolutely no way you can blame me for you actions like you have done i the past. I have plenty of documentation of your spite, negliensce, etc.

I was so happy to hear that some many ATT execs were out having fun at ATT while I was suffering. ATT will do NOTHING to me back up iin running. How aragent.

-----Original Message-----

From: Jim Chelmowski [mailto:chelmowski@comcast.net]

Sent: Saturday, February 26, 2011 2:25 PM

To: 'RUDLOFF, TROY (ATTCINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com'; 'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com'; 'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com'; 'christopher.womack@att.com'; 'jeston.dumas@att.com'; 'jacob.a.lee@att.com'

Subject: RE: ATT destroys loyal customer and will not get his paid services working after waiting 48 hours.

Importance: High

Hi

It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

I still have no access to my voice mail and ALL business calls cannot get to me.

YOU shut my business down for over a month. Now ATT refuses to help and shut my business down longer!!!

I have been a loyal customer of ATT for over 17 years.

Some of my friends are looking to ways to help since ATT continues to BLAME me for not DOING ANYTHING.

If I cannot get my voicemail and my phones immediately. I will forced to take actions against ATT. You are bankrupting me. Apparently it does not matter.

This is the most unprofessional and blatant destruction of a loyal customer. I would think all the government agency, press and competitors would love to have this information.

The clock is ticking and damages are accruing.

It was amazing the voicemail I received from corporate since a couple people were out to the office, that my business should be shutdown longer and ATT will do NOIHING.

May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM

To: jimc@expertfinancing.com; jim@expertfinancing.com

Subject: Re:

Hi Mr. Chelmowski,

I apologize that you didn't receive my email below when I first sent it. I escalated and confirmed with the Office of the President that they will call you by end of today and will hold us to that. Please advise if you don't hear from them by late afternoon.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <jimc@expertfinancing.com>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

Is there a reason you are not returning emails or calls?

I have documentation that my 847-768-0000 was going to be a straight call forward setup by AT%&T

AT&T was aware I did not have a phone being used on this account.

I need results. This costing me more money by the minute.

Jim

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Thursday, February 24, 2011 11:02 PM

To: jim@expertfinancing.com

Subject: Fw:

Hi Mr. Chelmowski,

Resending as I received a delivery error notification on my email below. Please let me know that you received this at your convenience. Deborah is escalating to the Office of the President per your request.

Thank you,

EX-0509

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: 'jimc@expertfinancing.com' <jimc@expertfinancing.com>

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

EX-0510



GREEN, THOMAS J (Legal)

From: RUDLOFF, TROY
Sent: Monday, February 28, 2011 8:38 AM
To: FORBES, DEBORAH S; CAMBERIS, JAMES
Cc: MATTHEWS, KEVIN
Subject: RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

Importance: High

Thank you, Debby, and thank you, Jim.

Jim – We now owe Ralph, Paul, Kent and Dave a high-level, fact-based recap of our recent experience with Mr. Chelmowski. To help them understand Mr. Chelmowski's situation, this summary would include the highlights of his last escalation, where I believe he also claimed his intellectual property on the fast forward feature was stolen from him and he was due XX thousands of dollars in lost revenues. If I remember correctly, the feature dropped from his account last time due to customer non-payment, too? Please help me in putting together this recap for Ralph.

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IL/WI Sales Execution
Office: 847-765-4695
Mobile: 404-202-4161

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Thanks,

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Subject: FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

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EX-0513

Ralph

From: jim [mailto:jim@expertfinancing.com]
Sent: Sunday, February 27, 2011 11:50 PM
To: DE LA VEGA, RALPH (ATTCINW)
Subject: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

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-----Original Message-----

From: Jim Chelmowski [mailto:chelmowski@comcast.net]

Sent: Saturday, February 26, 2011 2:25 PM

To: 'RUDLOFF, TROY (ATTCINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com';

EX-0514

'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com';
'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com';
'christopher.womack@att.com'; 'jaston.dumas@att.com'; 'jacob.a.lee@att.com'
Subject: RE: ATT destroys loyal customer and will not get his paid services working after
waiting 48 hours.
Importance: High

Hi

It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

I still have no access to my voice mail and ALL business calls cannot get to me.

YOU shut my business down for over a month. Now ATT refuses to help and shut my business down longer!!!

I have been a loyal customer of ATT for over 17 years.

Some of my friends are looking to ways to help since ATT continues to BLAME me for not DOING ANYTHING.

If I cannot get my voicemail and my phones immediately. I will forced to take actions against ATT. You are bankrupting me. Apparently it does not matter.

This is the most unprofessional and blatant destruction of a loyal customer. I would think all the government agency, press and competitors would love to have this information.

The clock is ticking and damages are accruing.

It was amazing the voicemail I received from corporate since a couple people were out to the office, that my business should be shutdown longer and ATT will do NOIHING.

May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM

To: jimc@expertfinancing.com; jim@expertfinancing.com

Subject: Re:

Hi Mr. Chelmowski,

I apologize that you didn't receive my email below when I first sent it. I escalated and confirmed with the Office of the President that they will call you by end of today and will hold us to that. Please advise if you don't hear from them by late afternoon.

Thank you,

EX-0516

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <jimc@expertfinancing.com>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

Hi Troy

Is there a reason you are not returning emails or calls?

I have documentation that my 847-768-0000 was going to be a straight call forward setup by AT%&T

AT&T was aware I did not have a phone being used on this account.

I need results. This costing me more money by the minute.

Jim

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Thursday, February 24, 2011 11:02 PM

To: jim@expertfinancing.com

Subject: Fw:

Hi Mr. Chelmowski,

Resending as I received a delivery error notification on my email below. Please let me know that you received this at your convenience. Deborah is escalating to the Office of the President per your request.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: jimc@expertfinancing.com <jimc@expertfinancing.com>

EX-0518

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161





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128 F3d 904 Stiles v. Gte Southwest Incorporated

128 F3d 904 Stiles v. Gte Southwest Incorporated

128 F.3d 904

10 Communications Reg. (P&F) 960

Raye Ellen STILES, Plaintiff-Appellant,
v.

GTE SOUTHWEST INCORPORATED; GTE Incorporated, Defendants-Appellees.

No. 96-10183.

United States Court of Appeals,
Fifth Circuit

Nov. 24, 1997.

Raye Ellen Stiles, Tuscon, AZ, pro se.

Dalene Whitehurst Florez, Irving, TX, for Defendants-Appellees.

Appeals from the United States District Court for the Northern District of Texas.

Before REYNALDO G. GARZA, KING and BENAVIDES, Circuit Judges.

BENAVIDES, Circuit Judge:

1

The appellant, Raye Ellen Stiles, proceeding pro se and in forma pauperis, appeals from a number of orders of the district court, including the district court's order granting the appellees' motion to dismiss for lack of subject matter jurisdiction. For the reasons set forth below, we AFFIRM.

I.

2

EX-0520

On December 5, 1995, Stiles filed suit against GTE Southwest, Inc., a local telecommunications company, and GTE Incorporated¹ seeking damages under the Federal Communications Act of 1934, 47 U.S.C. §§ 206-07, 415(b) ("the Act"). Stiles alleged, inter alia, that GTE Southwest refused to provide her with business telephone service, later provided her with only restricted service, and regularly failed to repair her service as needed. She sought damages for mental anguish, harassment, loss of business income, and invasion of privacy.

3

On December 28, 1995, GTE Southwest filed its answer, in which it argued that the court lacked subject matter jurisdiction over Stiles's complaint and counterclaimed for reimbursement of costs and attorney's fees. On January 22, 1996, GTE Southwest filed a motion to dismiss Stiles's complaint for failure to state a claim, for lack of subject matter jurisdiction, and for abatement. GTE Southwest argued that Stiles had failed to state a claim upon which relief could be granted because she had not indicated any specific violation of the Act or specified any damages that she had suffered. GTE Southwest further argued that because Stiles had filed an informal administrative complaint with the Federal Communications Commissions ("FCC"), she could not pursue her claim in federal court. Alternatively, GTE Southwest argued that Stiles's claims should be abated because the FCC enjoys "primary jurisdiction" over such claims.

4

In her response, although Stiles admitted that she had filed an informal complaint with the FCC, she argued that her informal complaint did not preclude her from bringing suit in federal court. In support of her argument, Stiles attached a letter sent to her from the FCC which addresses the FCC's informal complaint procedures. According to the letter, when the FCC receives a letter from a consumer complaining about a company providing interstate or international common carrier services, the FCC serves the complaint on the carrier. The carrier is then directed to investigate the complaint and to report the results of its investigation to the FCC. The letter concludes by stating that if the complainant is not satisfied by the company's response to the informal complaint or the FCC's disposition of the complaint, the complainant may file a formal complaint with the FCC.

5

Stiles also attached a copy of the FCC's instructions for filing a formal complaint with the FCC. Inter alia, this document advises that the complainant must elect to pursue either a formal complaint or bring suit in federal court, but not in both.

6

On February 22, 1996, GTE Southwest filed a motion to supplement its motion to dismiss, in which it sought to attach the following in support of its motion: (1) copies of Stiles's formal complaints against GTE with the Texas Public Utility Commission ("PUC"); (2) the proposal for decision, the proposed order, and the order dismissing Stiles's PUC complaint; (3) a letter from the FCC explaining that the FCC's files regarding Stiles's informal complaint have been destroyed; and (4) GTE's copies of Stiles's informal complaint against GTE and the FCC's final determination letter.

7

On April 16, 1996, the district court granted GTE Southwest's motion to dismiss, finding that Stiles had elected to pursue her claim administratively with the FCC, thereby precluding her from litigating her complaint in federal court. Although the district court acknowledged the pending contested motion to supplement in its order granting GTE Southwest's motion to dismiss, the court did not expressly rule on that motion. The district court entered a separate judgment on that same day.

8

On April 22, 1996, within ten days of the district court's judgment, Stiles filed the following pleadings: (1) a "motion to request reconsideration, and motion to vacate order and set aside judgment with incorporated brief"; (2) a "motion for clarification and findings of law" regarding the court's denial of her motion to recuse and dismiss counsel for GTE Southwest; (3) a "motion for ruling as to defendant's motion to supplement defendant's motion to dismiss"; and (4) a "motion for ruling as to Plaintiff's motion to dismiss defendant's counterclaim with incorporated brief."

9

On May 7, 1996, Stiles then filed a notice of appeal from the district court's dismissal of her complaint. Subsequently, Stiles sued Judge Cummings, the presiding judge, and his law clerk. In response, Judge Cummings requested that the case be reassigned to another judge to consider the pending post-judgment motions; Judge Buchmeyer was assigned to handle these post-judgment matters. Still not satisfied, Stiles then moved to recuse all of the judges and magistrate judges in the Northern District of Texas because they are all "personally acquainted" with Judge Cummings. Judge Buchmeyer denied the motion as "totally without merit."

10

By order dated March 28, 1997, after construing Stiles's motion "to request for reconsideration, and motion to vacate order and set aside judgment with incorporated brief" as a Rule 59(e) motion, this court found that Stiles's notice of appeal was ineffective. See Fed.R.App.P. 4(a)(4). As a result, the court ordered the record returned to the district court for a ruling on that motion. See *Burt v. Ware*, 14 F.3d 256, 260-61 (5th Cir.1994). On April 7, 1997, the district court denied Stiles's motion for reconsideration. Accordingly, Stiles's appeal is now properly before the court. See Fed.R.App.P. 4(a)(4).

II.

11

On appeal, Stiles challenges the decision of the district court on six grounds. First, she argues that the district court erred in dismissing her complaint for lack of subject matter jurisdiction. Second, she argues that the district court erred in not addressing her objections to GTE Southwest's motion to supplement its motion to dismiss. Third, she argues that the district court erred in denying her motion for default judgment. Fourth, she apparently argues that the district court erred in not addressing her motion to dismiss GTE Southwest's counter-claim for attorney's fees, even though the district court did not award fees in this case. Fifth, Stiles challenges the district court's denial of her motion to dismiss counsel for GTE Southwest and the district court's subsequent denial of her request for reconsideration of that denial. Finally, she appeals the district court's denial of her motion for recusal. After reviewing the record in this case, we find that only the first issue merits any discussion.

EX-0522

12

In dismissing this case for lack of subject matter jurisdiction, the district court held that, pursuant to 47 U.S.C. § 207, once a complainant files a complaint with the FCC, she is thereafter barred from bringing suit in federal court on the same claim. We review a district court's dismissal for lack of subject matter jurisdiction de novo. *Home Capital Collateral, Inc. v. FDIC*, 96 F.3d 760, 762 (5th Cir.1996).

13

Section 207 of the Act provides that: Any person claiming to be damaged by any common carrier subject to the provisions of this chapter may either make complaint to the Commission as hereinafter provided for, or may bring suit for the recovery of damages for which such common carrier may liable ... in any district court of the United States of competent jurisdiction; but such person shall not have the right to pursue both such remedies.

14

47 U.S.C. § 207 (emphasis added). Section 208 then describes the procedures by which a complaint may be filed and investigated. 47 U.S.C. § 208. The regulations implementing § 208 provide that a complaint to the Commission may be informal or formal. See 47 C.F.R. § 1.711 (1996). Under the informal complaint procedure, the FCC forwards a copy of the complaint to the carrier for investigation. 47 C.F.R. § 1.717. The carrier must then "advise the Commission in writing, with a copy to the complainant, of its satisfaction of the complaint or of its refusal or inability to do so." *Id.* If the complainant is not satisfied with the carrier's response and the FCC's actions, the complainant may then file a formal complaint. *Id.*

15

In contrast, "[f]ormal complaint proceedings are generally resolved on a written record consisting of a complaint, answer and reply but may also include other written submissions such as briefs and written interrogatories." 47 C.F.R. § 1.720. In short, formal complaint proceedings are more akin to traditional judicial proceedings.

16

Stiles argues that the jurisdictional bar of § 207 only applies to formal complaints. In support of this argument, she has provided two letters from the FCC regarding the procedures for filing informal and formal complaints; the letters essentially mirror the regulations implementing the statute. Although not entirely clear, Stiles appears to rest her argument on the fact that the letter setting forth the formal complaint procedures advises the complainant that she may file either a formal complaint or a complaint in federal district court, but not both, whereas the letter setting forth the informal complaint procedures does not. From this, Stiles concludes that you must be able to file both an informal complaint and a complaint in federal district court. While we acknowledge that there is some logic in this conclusion,² a result of the fact that neither letter appears to have been written with the other in mind, these letters are not the determinative documents in this case.

17

In interpreting a statute, our objective is to give effect to the intent of Congress. As always, we

begin with the language of the statute itself. *Consumer Prod. Safety Comm'n v. GTE Sylvania, Inc.*, 447 U.S. 102, 108, 100 S.Ct. 2051, 2056, 64 L.Ed.2d 766 (1980) ("[T]he starting point for interpreting a statute is the language of the statute itself."). When the language of the statute is unambiguous, we must "give effect to the unambiguously expressed intent of Congress." *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 843, 104 S.Ct. 2778, 2781, 81 L.Ed.2d 694 (1984). In other words, "we follow the plain meaning of a statute unless it would lead to a result so bizarre that Congress could not have intended it." *Johnson v. Sawyer*, 120 F.3d 1307, 1319 (5th Cir.1997) (quotations omitted).

18

In this case, the language of the statute is unambiguous: A complainant can file a complaint either with the FCC or in federal district court, but not in both. Contrary to Stiles's arguments, § 207 draws no distinction between formal and informal complaints and the fact that the FCC has decided to provide both formal and informal complaint proceedings does not alter the clear language of the statute.

19

In sum, we hold that § 207 precludes a complainant from filing suit in federal court once she has initiated the administrative complaint process with the FCC either by filing a formal or informal complaint. Accordingly, we find that the district court lacked subject matter jurisdiction over the complaint and properly dismissed Stiles's complaint on that ground.

20

With respect to Stiles's remaining arguments, we have reviewed the record and find them to be without merit. Likewise, we have reviewed Stiles's pending motions and find them to be without merit; therefore, all pending motions are DENIED.

21

Accordingly, we AFFIRM the decision of the district court.

1

According to counsel for GTE Southwest, there is no legal entity named "GTE Incorporated." Because this statement is not challenged by the appellant, we will refer only to GTE Southwest in this opinion

2

This is not to say that we agree entirely with Stiles's reading of the FCC letters. Nonetheless, we are compelled to invite the FCC to revisit the wording of these letters in light of the disposition of this case

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DISPUTE RESOLUTION BY BINDING ARBITRATION

Please read this carefully. It affects your rights.

Most customer concerns can be resolved quickly and to the customer's satisfaction by calling our customer service department at 800-331-0500. **In the unlikely event that AT&T's customer service department is unable to resolve a complaint you may have to your satisfaction (or if AT&T has not been able to resolve a dispute it has with you after attempting to do so informally), we each agree to resolve those disputes through binding arbitration or small claims court instead of in courts of general jurisdiction.** Arbitration is more informal than a lawsuit in court. Arbitration uses a neutral arbitrator instead of a judge or jury, allows for more limited discovery than in court, and is subject to very limited review by courts. Arbitrators can award the same damages and relief that a court can award. **Any arbitration under this Agreement will take place on an individual basis; class arbitrations and class actions are not permitted.** For any non-frivolous claim that does not exceed \$75,000, AT&T will pay all costs of arbitration. Moreover, in arbitration you are entitled to recover attorneys' fees from AT&T to at least the same extent as you would be in court.

In addition, under certain circumstances (as explained below), AT&T will pay you more than the amount of the arbitrator's award and will pay your attorney (if any) twice his or her reasonable attorneys' fees if the arbitrator awards you an amount that is greater than what AT&T has offered you to settle the dispute.

Arbitration Agreement:

(1) AT&T and you agree to arbitrate **all disputes and claims** between us. This agreement to arbitrate is intended to be broadly interpreted. It includes, but is not limited to:

- claims arising out of or relating to any aspect of the relationship between us, whether based in contract, tort, statute, fraud, misrepresentation or any other legal theory;
- claims that arose before this or any prior Agreement (including, but not limited to, claims relating to advertising);
- claims that are currently the subject of purported class action litigation in which you are not a member of a certified class; and
- claims that may arise after the termination of this Agreement.

References to "AT&T," "you," and "us" include our respective subsidiaries, affiliates, agents, employees, predecessors in interest, successors and assigns, as well as all authorized or unauthorized users or beneficiaries of services or equipment under this or prior Agreements between us. Notwithstanding the foregoing, either party may bring an individual action in small claims court. This arbitration agreement does not preclude you from bringing issues to the attention of federal, state, or local agencies, including, for example, the Federal Communications Commission. Such agencies can, if the law allows, seek relief against us on your behalf. **You agree that, by entering into this Agreement, you and AT&T are each waiving the right to a trial by jury or to participate in a class action.** This Agreement evidences a transaction in interstate commerce, and thus the Federal Arbitration Act governs the interpretation and enforcement of this provision. This arbitration provision shall survive termination of this Agreement.

(2) A party who intends to seek arbitration must first send to the other, by certified mail, a written Notice of Dispute ("Notice"). The Notice to AT&T should be addressed to: Office for Dispute Resolution, AT&T, 1025 Lenox Park Blvd., Atlanta, GA 30319 ("Notice Address"). The Notice must (a) describe the nature and basis of the claim or dispute; and (b) set forth the specific relief sought ("Demand"). If AT&T and you do not reach an agreement to resolve the claim within 30 days after the Notice is received, you or AT&T may commence an arbitration proceeding. During the arbitration, the amount of any settlement offer made by AT&T or you shall not be disclosed to the arbitrator until after the arbitrator determines the amount, if any, to which you or AT&T is entitled. You may download or copy a form Notice and a form to initiate arbitration at att.com/arbitration-forms.

(3) After AT&T receives notice at the Notice Address that you have commenced arbitration, it will promptly reimburse you for your payment of the filing fee, unless your claim is for greater than \$75,000. (The filing fee currently is \$200 for claims under \$10,000, but is subject to change by the arbitration provider. If you are unable to pay this fee, AT&T will pay it directly upon receiving a written request at the Notice Address.) The arbitration will be governed by the Commercial Dispute Resolution Procedures and the Supplementary Procedures for Consumer Related Disputes (collectively, "AAA Rules") of the American Arbitration Association ("AAA"), as modified by this Agreement, and will be administered by the AAA. The AAA Rules are available online at www.adr.org, by calling the AAA at 1-800-778-7879, or by writing to the Notice Address. (You may obtain information that is designed for non-lawyers, about the arbitration process at

<http://att.com/arbitration-information>). The arbitrator is bound by the terms of this Agreement. All issues are for the arbitrator to decide, except that issues relating to the scope and enforceability of the arbitration provision are for the court to decide. Unless AT&T and you agree otherwise, any arbitration hearings will take place in the county (or parish) of your billing address. If your claim is for \$10,000 or less, we agree that you may choose whether the arbitration will be conducted solely on the basis of documents submitted to the arbitrator, through a telephonic hearing, or by an in-person hearing as established by the AAA Rules. If your claim exceeds \$10,000, the right to a hearing will be determined by the AAA Rules. Regardless of the manner in which the arbitration is conducted, the arbitrator shall issue a reasoned written decision sufficient to explain the essential findings and conclusions on which the award is based. Except as otherwise provided for herein, AT&T will pay all AAA filing, administration and arbitrator fees for any arbitration initiated in accordance with the notice requirements above. If, however, the arbitrator finds that either the substance of your claim or the relief sought in the Demand is frivolous or brought for an improper purpose (as measured by the standards set forth in Federal Rule of Civil Procedure 11(b)), then the payment of all such fees will be governed by the AAA Rules. In such case, you agree to reimburse AT&T for all monies previously disbursed by it that are otherwise your obligation to pay under the AAA Rules. In addition, if you initiate an arbitration in which you seek more than \$75,000 in damages, the payment of these fees will be governed by the AAA rules.

(4) If, after finding in your favor in any respect on the merits of your claim, the arbitrator issues you an award that is greater than the value of AT&T's last written settlement offer made before an arbitrator was selected, then AT&T will:

- pay you the amount of the award or \$10,000 ("the alternative payment"), whichever is greater; and
- pay your attorney, if any, twice the amount of attorneys' fees, and reimburse any expenses (including expert witness fees and costs), that your attorney reasonably accrues for investigating, preparing, and pursuing your claim in arbitration ("the attorney premium").

If AT&T did not make a written offer to settle the dispute before an arbitrator was selected, you and your attorney will be entitled to receive the alternative payment and the attorney premium, respectively, if the arbitrator awards you any relief on the merits. The arbitrator may make rulings and resolve disputes as to the payment and reimbursement of fees, expenses, and the alternative payment and the attorney premium at any time during the proceeding and upon request from either party made within 14 days of the arbitrator's ruling on the merits.

(5) The right to attorneys' fees and expenses discussed in paragraph (4) supplements any right to attorneys' fees and expenses you may have under applicable law. Thus, if you would be entitled to a larger amount under the applicable law, this provision does not preclude the arbitrator from awarding you that amount. However, you may not recover duplicative awards of attorneys' fees or costs. Although under some laws AT&T may have a right to an award of attorneys' fees and expenses if it prevails in an arbitration, AT&T agrees that it will not seek such an award.

(6) The arbitrator may award injunctive relief only in favor of the individual party seeking relief and only to the extent necessary to provide relief warranted by that party's individual claim. **YOU AND AT&T AGREE THAT EACH MAY BRING CLAIMS AGAINST THE OTHER ONLY IN YOUR OR ITS INDIVIDUAL CAPACITY, AND NOT AS A PLAINTIFF OR CLASS MEMBER IN ANY PURPORTED CLASS OR REPRESENTATIVE PROCEEDING.** Further, unless both you and AT&T agree otherwise, the arbitrator may not consolidate more than one person's claims, and may not otherwise preside over any form of a representative or class proceeding. If this specific proviso is found to be unenforceable, then the entirety of this arbitration provision shall be null and void.

(7) Notwithstanding any provision in this Agreement to the contrary, we agree that if AT&T makes any future change to this arbitration provision (other than a change to the Notice Address) during your Service Commitment, you may reject any such change by sending us written notice within 30 days of change to the Arbitration Notice Address provided above. By rejecting any future change, you are agreeing that you will arbitrate any dispute between us in accordance with this provision.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

JAMES CHELMOWSKI v. AT&T

COMPLAINANT'S 47 USC 1.729 INTERROGATORIES

Pursuant to 47 USC 1.729, the Complainant, James Chelmowski, submits the following Interrogatories to be answered by the above named Defendant, AT&T Mobility (AT&T), under oath with supporting documents. These Interrogatories are to be answered, signed, and returned to the undersigned within 47 USC 1.729 number of days of the dated of the proof of service herein.

Definitions

- 1) **AT&T** includes all companies under the AT&T company including AT&T Mobility LLC, AT&T Inc., AT&T Services, Inc., etc.
- 2) **PORTING** is Local Number Porting governed by the FCC porting a phone number to a new carrier including all procedures mandated by FCC and AT&T procedures.
- 3) **PORTING REJECTIONS** porting request under regulations and law by the FCC including but not limited to 44 CFR 52.35

47 USC 1.729 INTERROGATORIES

- 1) During the calendar year 2011 how many AT&T PORT REJECTIONS for phone number 847-768-0400 provide all details of the Port Rejections, Port Request, including dates, status, reasons, etc.
- 2) Who is the author include name and title of the author of the AT&T letter dated September 22, 2011 to the FCC which does not contain an author? FCC informal complainant 11-C00325771-1 and AT&T file number CM20110831_26702265.

3) Name all AT&T employees, AT&T directors, etc involved with any input of the contents of this letter to the FCC dated September 22, 2011? FCC informal complainant 11-C00325771-1 and AT&T file number CM20110831_26702265.

4) AT&T Manager - FCC Appeals Bureau Margaret Trammell's FCC informal investigation 11-C00292341 (Odd finding, AT&T internal case number was omitted in this letter) which lead to the letter to the FCC dated April 11, 2011, how many 2011 AT&T PORTING REJECTIONS occurred prior to 4/11/11 letter, after 4/11/11 and how many are mentioned in her letter?

5) On AT&T proof of delivery of the FCC informal complaints 11-C00325771 and 11-C00292341 what are the delivery details to the Complainant including date received by complainant, address sent and proof of delivery information?

6) Was the January 2010 porting request which were never accepted by AT&T in 2010 due to incorrect account number for 847-768-0400 was open during 2011 complete time of questioned? Please in the answer include all AT&T documentation including NPAC/Neustar proof with Neustar transactions codes and AT&T meet all NPAC, FCC and Neustar requirements in the PORTING processing in 2010 and 2011. Provide all Neustar transactions codes for events in 2010 and 2011.

7) Who and what was the "AT&T Director Review" of the FCC letter writing process in September of 2011 and which AT&T directors were involved on the FCC informal complaint 11-C00325771 and AT&T file number CM20110831_26702265?

8) In the AT&T September of 2011 thorough investigation which lead to this September 22, 2011 letter to the FCC case 11-C00325771 and AT&T file number CM20110831_26702265, please detail all the events and details contained in the letter relevant issues of the 2011

PORTING REQUESTS, PORTING REJECTIONS, phone calls AT&T logged and verified complainant social security number in March and April of 2011, or really an relevant facts or information during March and April of 2011?

9) Provide all PORTING transactions and details for the phone numbers 847-768-0000, 847-768-000, 847-917-2384 and 847-768-0400 in the calendar year 2011 for porting requests, porting denials, cancelations, porting firm order commitments?

10) Using AT&T SEG advertised able to retrieve single or thousands emails in seconds with complicated search queries, what is the email retrieval count using any derivative James Chelmowski, Jim Chelmowski, phone numbers 847-744-5626, 847-768-0000, 847-768-0400, 847-917-2384, complainant's account numbers and all internal references customer numbers, abbreviations, etc.? Only counts of emails are needed at this time full emails many be required later.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jim Chelmowski'.

James Chelmowski
6650 N Northwest Hwy #300
Chicago, IL 60631
847-768-0000
jchelmowski@comcast.net

2. AT&T objects to Definition 2 as vague and imprecise and reserves the right to explain its understanding of the term in any response.
3. AT&T objects to the Definition 3 as vague and imprecise and reserves the right to explain its understanding of the term in any response.

Objection to Complainant's Interrogatories

General Objections:

Mr. Chelmowski has already litigated these claims in an AAA arbitration in which he was afforded extensive discovery on the issue of the failed port of the 0400 number. Thus each Interrogatory, as well as the factual issues to which each purports to relate, should be treated as either "asked and answered" or as questions that could have been explored in that proceeding. Mr. Chelmowski's complaint and exhibits indicate that he already possesses information received from AT&T in discovery in that proceeding. Accordingly, the interrogatories are punitive, cumulative, unduly burdensome and unnecessary. Moreover, to the extent that the Interrogatories are actually document requests, AT&T objects to them as beyond the scope of discovery under 47 C.F.R. § 1.729. For these reasons, AT&T objects to providing any response to Interrogatories 1-10. These objections apply to each and every of Complainant's Interrogatories (1-10). In addition to these continuing objections, AT&T also objects to each Interrogatory specifically:

1. AT&T objects to Interrogatory 1 as irrelevant and overbroad.

2. AT&T objects to Interrogatory 2 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.
3. AT&T objects to Interrogatory 3 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.
4. AT&T objects to Interrogatory 4 as irrelevant, overbroad and unduly burdensome. AT&T's letter of April 11, 2011 (responding to Mr. Chelmowski's informal FCC complaint) speaks for itself.
5. AT&T objects to Interrogatory 5 as noted above.
6. AT&T objects to Interrogatory 6 as noted above.
7. AT&T objects to Interrogatory 7 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.
8. AT&T objects to Interrogatory 8 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.

9. AT&T objects to Interrogatory 9 as noted above.

10. AT&T objects to Interrogatory 10 as irrelevant.

* * *

Dated: January 16, 2015

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. P. Goggin', with a long horizontal flourish extending to the right.

AT&T Mobility, LLC

By its counsel:

Michael P. Goggin

AT&T

1120 20th Street, NW

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Jim Chelmowski

From: Jim Chelmowski [jchelmowski@comcast.net]
Sent: Sunday, January 18, 2015 10:51 PM
To: 'jchelmowski@comcast.net'; 'Michael Engel'; 'GOGGIN, MICHAEL P (Legal)'
Cc: 'FLEMMING, JACQUELYNE'; 'Lisa Saks'
Subject: RE: Chelmowski v. AT&T Mobility, FCC Docket No. 14-260, File No. EB-14-MD-016
Attachments: 47 CFR 1721-1 Formal Complaint.pdf; STILES v GTE SOUTHWEST.pdf; AT&T NOIC to FCC 4-11-11 & 9-22-11.pdf; AT&T Fraudulent Concealment Summary 2011 to 2014.pdf; XO 2010 cancelation confirmation.pdf; ATT Phone Logs.pdf; AT&T Arbitration Agreement.pdf; Neustar Subpoena Response.pdf; Interrogatories and AT&T stating not relevant fail to produce a single document.pdf

Importance: High

Dear Ms. Saks, Mr. Engle, Ms. Flemming & Mr. Goggin

Urgent - Mr. Engle requesting information from the US District Court Vacate because only FCC jurisdiction on this FCC formal complaint.

These Facts included in the initial 12/11/14 Complaint # EB-14-MD-016 (supplemented with AT&T 1/16/15 Answer) need to brought to the FCC attention again now.

The required 1/26/15 response under FCC will have many of these items in the proper FCC format.

As the FCC formal complaint, this email and the required 1/26/15 response will prove AT&T failed to provide a single FCC required document to prove AT&T's statements that are relevant to the 47 CFR 1.717 (2 counts), 47 CFR 52.25 (6 counts) and 47 CFR 52.26 (6 counts). As will see in this email, 1/26/15 response, AT&T 1/16/15 answer and the complaint, AT&T wants to distract the FCC from everything except the facts about the 14 counts of FCC violations and the AT&T fraudulent concealment scheme. My complaint and responses will respect the FCC by providing only relative information not process of deception from the facts by false personal attacks of the other party (not relevant to this FCC case), false undocumented information and completely unrelated information to the FCC violations and fraudulent concealment scheme, as in AT&T 1/16/15 Answer documented in this email and will be on the 1/26/15 response.

FCC Formal Complaint Process 47 C.F.R. §§ 1.721-1.736

First the complainant reply to the AT&T answer will January 26, 2015 which is required under the FCC formal complaint process and FCC December 16, 2014 letter FCC case # EB-14-MD-016. No ruling by the FCC will happen prior to completion of the FCC formal complaint process contained this FCC 12/16/14 letter. FCC has clear rules and requirements on the FCC complaint process 47 C.F.R. §§ 1.721-1.736 and the FCC required answer (attachment "Complaint Process 47 CFR 1721-1736").

FCC Complete jurisdiction for this FCC formal complaint Case # EB-14-MD-016

FCC has complete jurisdiction of this FCC Formal Complaint # EB-14-MD-016 not the US Federal Courts. This would be completely illegal for the US Fed Court to strip FCC of jurisdiction or my rights of this case. The US District Court has no jurisdiction over the FCC jurisdiction in case # EB-14-MD-016 - see STILES, v. GTE SOUTHWEST INCORPORATED No. 96-10183. United States Court of Appeals, Fifth Circuit Nov. 24, 1997 (attached case ruling "STILES v GTE SOUTHWEST"). AT&T contract and AT&T v Concepcion US Supreme Court ruling provides no right to take this matter or any lawsuit to the Federal District Court. AT&T contract states "This arbitration agreement does not preclude you from bringing issues to the attention of federal, state, or local agencies, including, for example, the Federal Communications Commission." Is AT&T arguing that AT&T's contract is unconscionable or unconstitutional, which was not included in AT&T FCC answer? Because the AT&T contract clearly gives FULL unconditional rights to this FCC Formal Complaint. I also believe the FCC does not have jurisdiction on ruling AT&T contract is unconscionable. So FCC has jurisdiction unless AT&T wants to file that AT&T contract is unconscionable in the Federal or Circuit Court and then receive a ruling to overturn AT&T V Concepcion US Supreme Court ruling. This is also detailed more in Section III of this email and the 1/26/15 response.

FCC Formal Complaint Answer 1.724 Rules – AT&T only provide unacceptable blanket answers:

1.724 Answers. ... General denials are prohibited.

(f) The answer shall include an information designation containing:

- (1) The name, address, and position of each individual believed to have firsthand knowledge of the facts...
- (2) A description of all documents, data compilations and tangible things in the defendant's possession, custody, or control, that are relevant to the facts alleged with particularity in the answer...
- (3) A complete description of the manner in which the defendant identified all persons with information and designated all documents, data compilations and tangible things as being relevant to the dispute, ...

AT&T provided no required relevant porting documents, etc. supporting it AT&T answer included only about 3 paragraphs related to the actual FCC Formal Complaint issues of 47 CFR 1.717, 47 CFR 52.25, 47 CFR 52.26 and the fraudulent concealment scheme which are detailed in the complaint. Complete detail in section I, II & III.

In fact, the FCC required documents under 1.724 for AT&T Answer statements were detailed in the interrogatories included with the Complaint. AT&T 1/16/15 response for all these interrogations were irrelevant and AT&T produce nothing required under 1.724 in the answer or in response to the interrogatories. All details of AT&T external and internal responses submitted about any of the 2011 porting, AT&T considers irrelevant or are really AT&T statements false? OOMA, XO and Neustar (sole company responsible for the NPAC porting) in response to subpoena with sworn statements and supporting documents seem to state AT&T completely undocumented statements are in fact completely false. In fact, AT&T claimed all these porting documents and FCC informal complaint correspondence were AT&T attorney client privilege in the Breach of Contract & Conversion AAA arbitration hearing. Now in this FCC Complaint because FCC knows these documents are not AT&T attorney client privilege, AT&T claims these documents are irrelevant. However these documents must be produced and are relevant to support AT&T answer, too. Details in Section I, II & III.

Arbitration rules of evidence is different than any court or FCC complaint process

Arbitration can allow hearsay not a court or these FCC formal complaint rules.

For example AT&T only witness James Camberis mentioned in the AT&T response did not work in the AT&T LNP department and his knowledge about the Porting of Phone number came from another AT&T employee who also did not work in the AT&T LNP department. His training on LNP rules and procedures he admitted were from the 1990's. AT&T produced no supporting documents to these statements claiming the non-private documents available to employees outside the LNP department in AT&T normal course of business were AT&T attorney client privilege. AT&T refused to provide a privilege log. Of course hearsay evidence is not allowed in this FCC forum. Certified Documented Details are below full AAA transcripts were produced in AT&T 1/16/15 answer:

Page 239 of the Arbitration hearing transcripts - Mr. Camberis cross examined about how does he know about the porting details only by information provided by hearsay from an AT&T Sales Manager Tina J (not in the AT&T LNP porting department)

Q. Was that port request successful?

A. It was not.

Q. Why not?

A. The port request did not include all the necessary information from the porting out carrier. Specifically it was missing a three of the account number.

Q. How do you know that?

A. I spoke to one of our managers in the sales program execution by the name of Tina J., who viewed it in our LNP teleport tool, which is an automated system that manages the ports.

Page 259 of the Arbitration hearing transcripts - Mr. Camberis cross examined about knowledge in AT&T porting process and details. LNP was part of the Telecommunications Act of 1996. If Mr. Camberis trained at all in AT&T LNP it was in the 1990's. According to his testimony he never worked in AT&T LNP department.

Q. By the way, have you ever reviewed the AT&T portability handbook?

A. I was initially trained on it when portability first came out, yes.

Q. Could you tell me how many fields you have to fill in in order to port a number?

A. I don't know that offhand, no.

Page 257 of the Arbitration hearing transcripts - Mr. Camberis cross agreeing not a single porting document was produced and AT&T had the ability to produce these documents.

Q. Who was handling that?

A. It was handled by our LNP tool. It's an automated system.

Q. Okay. Does that -- Are there records that can be generated from that tool?

A. I believe there are.

Q. No records were generated relative to porting and produced in this case; isn't that correct?

A. I only know what I was --

Q. I submit to you I have received it.

A. Okay.

Q. You say there's a tool that would show that; is that correct?

A. Yes.

Summary:

- 1) AT&T arbitration accounts of the 2011 and 2010 porting were not documented and only hearsay of hearsay of an AT&T sales manager not even an employee of the LNP porting department. AT&T refused to produce the author of the 4/11/11 FCC NOIC as witness, too.
- 2) AT&T only witness has no idea of AT&T porting policies and FCC requirements to port a phone number.
- 3) Under Oath Mr. Camberis admitted no porting documents to support any of his testimony was produced by AT&T. These porting records were required under the only arbitrator approved discovery. AT&T claimed these LNP porting documents that AT&T sales managers have access to as AT&T attorney client privilege.

This is the AT&T expert on the 2011 porting referred to in AT&T 1/16/15 answer. AT&T claims all porting records and documents are not relevant in the AT&T 1/16/15 answer because an employee heard from another AT&T employee who heard from another AT&T employee that AT&T the reason 847-768-0400 could not be ported by AT&T in 2010 and 2011. This employee admitted he has no knowledge of the AT&T porting procedures and does not even know what is required by the FCC to port a phone number.

This meets FCC rules under 47 C.F.R. §§ 1.721-1.736 and hearsay of another's hearsay replaces documents and records the FCC requires telecommunication companies to possession. This violates all the requirements under 47 C.F.R. §§ 1.724 Answers. How could a company like AT&T \$200 billion dollar company and one of the largest FCC regulated telecommunication companies believe this would be acceptable under FCC Formal Complaint laws 47 C.F.R. §§ 1.721-1.736.

Tolling Section 415 Statute of Limitations for fraudulent concealment by the defendant of the facts giving rise to the claim

FCC clearly stated one way FCC tolls in the Operator Communications, Inc v. Contel of the South, Inc. File No. EB-05-MD-009, Adopted: December 9, 2005, Released: December 9, 2005 states: "Indeed, the Commission has identified only one circumstance that warrants equitable tolling of section 415 - fraudulent concealment by the defendant of the facts giving rise to the claim.

These details were addressed in ¶s 20-52 of FCC case # EB-14-MD-016. Further details in the following sections of this email I through VII and AT&T response to further conceal the facts which are the basis of this claim (Operator Communications v Contel of South, Inc.) by stated all the interrogatories as irrelevant. Which are completely relevant to the FCC Formal Complaint # EB-14-MD-016 (16 counts of FCC violations) and the fraudulent concealment scheme by AT&T of the facts giving rise to the claim.

Sections I, II, III, IV, VI and VII will start bringing the case in more light to the intentional Concealment of AT&T on the material facts relative to the FCC violations. Section V and the FCC EB-14-MD-016 ¶s 29 to 51 will be show the required due diligence under the fraudulent concealment doctrine on my part to unveil the fraudulent concealment by the defendant (AT&T) of the facts giving rise to the claim. AT&T provided no defense to these fraudulent concealment ¶s.

AT&T NOIC letters to the FCC - fraudulent concealment by the defendant of the facts giving rise to the claim

Review the attached AT&T NOIC to the FCC 4/11/11 and 9/22/11, please find anywhere in these letters AT&T states that the 2011 porting rejections (which was the 2011 complaint inability to port 847-768-0400). Only deception of stating not relevant allegations not at all related to the 2011 porting and FCC porting laws and regulations. Similar to the 1/16/15 AT&T Answer, too. (See attached "AT&T NOIC to FCC 4-11-11 & 9-22-11") More details will be in the 1/26/15 response and section I, II & V of this email.

Please also find per AT&T 1/16/14 Answer ¶ #2, AT&T wrote about the March and April 2011 AT&T porting rejections “The 0400 number was not ported successfully; first because Choice One included an incorrect account number on the LSR, then, after the account number was corrected in a modified port request, because of the still pending, never modified and inaccurate port request submitted by XO the year before.” Please find reference to this statement in either the 4/11/11 NOIC or the 9/22/11 NOIC. Not one reference of porting or porting rejections in March or April of 2011.

Again XO, OOMA and Neustar complete third parties to these events under subpoena sworn statements and document production state every AT&T statement on the relative facts of this 14 counts FCC violations and fraudulent concealment completely false. AT&T would not produce a single FCC approved evidence document to support their own statements.

Please also find the attached document showing AT&T fraudulent concealment scheme documented by AT&T own documentation to complainant FCC, AAA arbitration, etc. It shows the fraudulent concealment scheme with AT&T finally admitting after Neustar response to the subpoena in 2014 stating the porting documents actually exist however AT&T refuses to authorize release of these documents (see attached document labeled “AT&T Fraudulent Concealment Summary 2011 to 2014”)

AT&T keeps concealing these porting documents first never existed, then AT&T attorney client privilege and no irrelative however AT&T under FCC rules must produce these documents to support AT&T answers, besides being completely relevant for this case on AT&T 2011 porting rejections in violation of FCC porting laws and regulations.

As in the FCC Formal Complaint, I will provide more details including supporting documents from third parties subpoenas, AT&T documentation, etc. As required in the FCC Complaint process all my statements will have documented proof.

Was there fraudulent concealment by the defendant (AT&T) of the facts giving rise to the claim? Not one word in the 2011 NOIC FCC letters about any porting rejection in 2011 or in fact any porting request in 2011. AT&T provided not a single required document of proof to deny this fraudulent concealment.

This will be in the required FCC format in the required 1/26/15 response.

This email includes the following Sections

- I. AT&T initial admission to FCC fraudulent Concealment scheme on 1/16/15 Answer
- II. Proof of Fraudulent Concealment in the AT&T FCC informal in Detailed by AT&T 1/16/15 Answer – Required in the FCC Fraudulent Concealment Doctrine
- III. FCC Jurisdiction on this FCC Formal Complaint # EB-14-MD-016
- IV. Important FACTS to this FCC Complaint which AT&T continues to Conceal
- V. Due diligence requirement of the FCC Fraudulent Concealment Doctrine
- VI. AT&T should be required to provide the Initial Requested Interrogatories.
- VII. AT&T should be required to provide full documentation which AT&T disclosed the 2011 AT&T multiple porting rejections for Open Pending (“2010 XO”) order on 1/16/15 and concealed prior to 1/1/6/15 from the FCC. This full documentation should be required under 47 C.F.R. §§ 1.724 Answers that AT&T statement in ¶ #9 in AT&T 1/16/15 Answer is correct.

The following will be included in the FCC Formal Complaint reply to the answer required process. While AT&T provided irrelevant information to change this agreed process by all parties under the FCC law without the process required under FCC formal complaint process. FCC Staff will contact the parties regarding the next stages of the proceeding on or after **February 2, 2015**. The rules for this FCC formal complaint FCC provided in writing on December 16, 2014.

I. AT&T initial admission to FCC fraudulent Concealment scheme on 1/16/15.

AT&T 1/16/14 Answer ¶ #9. “Mr. Chelmowski reports having contacted AT&T directly about the failed port request on numerous occasions around this time. AT&T explained to him at the time that the failure was caused initially by the

incorrect LSR submitted by Choice One, and **the “open port request” from XO Communications** that was incorrect and was never corrected or cancelled.”

AT&T in all communications to the FCC concealed the facts of AT&T 2011 multiple porting rejections by calculated deception and concealment. Detailed in Section II.

XO under sworn statement in a January 8, 2014 subpoena response that the 847-768-0400 2010 porting request cancellation was ordered by J Hernandez on March 2, 2010 at 15:23. J Hernandez received confirmation of the cancellation on March 3, 2010 at 16:35 (from Neustar and sent to AT&T). Documents in AT&T possession that AT&T unwilling to release will confirm that XO order was cancelled was not open through March and April 2011 (attached “XO 2010 cancellation confirmation”).

AT&T claims these porting documents used in AT&T normal course of business, documents provided to outside companies, without attorney involved, etc. are protected by AT&T attorney client privilege. AT&T also refused to produce these relevant documents in the requested interrogatories and were required in the 47 C.F.R. §§ 1.724. AT&T claims again it will not produce these document in this case because they are irrelevant. AT&T in ¶ 9 of the 1/16/15 Answers refers to these documents in AT&T defense which clearly also makes all the 2011 porting documents relevant and necessary for this FCC case under FCC rules.

AT&T continues to state a person outside the AT&T porting document that had no direct access to these porting documents testimonial. He also admitted under oath he was not trained in the AT&T porting procedures and if might have been it was in the 1990’s and does not recall any of the AT&T official porting manual instructions. AT&T in ¶ # stated AT&T produced all the required arbitration discovery. This only AT&T witness testimony on multiple occasion stated this claim as completely false as detailed in 12/10/14 Complaint and in the AAA transcripts. Another AT&T admission and under oath by an AT&T witness of fraudulent concealment scheme of the 2011 AT&T porting rejections.

Therefore, AT&T January 16, 2015 answering statements provides another PROOF of AT&T Fraudulent Concealment scheme which per FCC will toll all statute of limitations in the FCC complaint in ¶ s 42 to 51. Chronological events of the concealment are detailed in ¶ s 29 to 41 of the 12/11/14 complaint. AT&T did not address a single item in the ¶ s 29 to 51 as required in 47 C.F.R. §§ 1.724 Answers

II. Proof of Fraudulent Concealment in the AT&T FCC informal in Detailed by AT&T 1/16/15 Answer – Required in the FCC Fraudulent Concealment Doctrine.

AT&T Answer ¶ #9. “Mr. Chelmowski reports having contacted AT&T directly about the failed port request on numerous occasions around this time. AT&T explained to him at the time that the failure was caused initially by the incorrect LSR submitted by Choice One, and **the “open port request” from XO Communications** that was incorrect and was never corrected or cancelled.”

Why are these 2011 Porting rejections CONCEALED in all AT&T responses the FCC in 2011, after AT&T admitted to the FCC that AT&T conducted investigations on the 2011 porting in question?

This Open Port Request or in fact any 2011 porting rejection were Fraudulently Concealed with calculated deception in ALL AT&T 2011 responses to the FCC.

AT&T NOIC dated April 11, 2011 (attached “AT&T NOIC to FCC 4-11-11 & 9-22-11”) wrote after AT&T admitted no mention of the current ongoing March and April 2011 AT&T porting rejection stated on AT&T Answer ¶10 was because Mr. Chelmowski, essentially stating that it attempted to contact Mr. Chelmowski to discuss or resolve the complaint, but was unable to reach him.

Where are the March and April 2011 porting requests and rejections mentioned in this letter? AT&T 4/11/11 NOIC to FCC:

“AT&T received a Federal Communications Commission (FCC) inquiry from James Chelmowski regarding the inability to port service.” Margaret Trammell, AT&T Customer Advocacy, called Mr.

Chelmowski left message acknowledging complaint and provided her contact information in event of questions during the investigation.

AT&T made several attempts to reach Mr. Chelmowski to discuss the FCC inquiry no response been received, AT&T will close complaint and this time about will re-open if Mr. Chelmowski responds at a later date.”

AT&T never called Mr. Chelmowski per AT&T produced phone logs between March 3, 2011 and April 15, 2011. AT&T documented Mr. Chelmowski called and spoke with an AT&T employee on March 22, April 11, April 18, April 11 and April 25, 2011. (attached file “Phone Logs”)

Analysis table of AT&T white-out, redacting and cut and paste is on the last page of this file, AT&T testified that AT&T system could only print a certain number of characters in defense of these white-outs and cut and paste, an analysis was done to prove this statement completely false to prove AT&T tampered with these phone logs.

AT&T NOIC dated September, 22, 2011 (attached “AT&T NOIC to FCC 4-11-11 & 9-22-11”) wrote after AT&T admitted by not responding to complaint ¶s #11-15. All 2011 porting requests and rejections Concealed by AT&T see there is a complete void or vacuum or events from January 18, 2010 to May 15, 2011 implying the March and April 2011 AT&T porting rejections were due to account canceled on May 15, 2011, not that AT&T repeated many times rejected a complete and accurate LSR on an active account in March and April of 2011 violating 47 CFR 52.35 and 47 CFR 52.36: “AT&T conducted a thorough review of Mr. Chelmowski’s account. AT&T determined that, on January 18, 2010, Mr. Chelmowski attempted to port his wireless number ending in 0400 to XO Communications. The port request was denied because the account number provided in the request was incorrect. For security reasons and in accordance with FCC rules, when a customer ports their number to another wireless provider, information necessary to validate the current account must be submitted by the new provider. If this information is not correct, the port request is denied. AT&T attempted on a number of occasions to inform Mr. Chelmowski of the status of the port and to instruct him on the appropriate path forward.

Mr. Chelmowski’s account was ultimately deactivated due to non-payment. Mr. Chelmowski had a past due balance on his account. Pursuant to normal collection procedures, his account was cancelled on May 15, 2011. AT&T believes the past due balance of \$345.88 reflects valid and appropriate charges for services rendered to Mr. Chelmowski. AT&T attempted to work with Mr. Chelmowski in regard to the charges and believes he understood the amount that was past due. The account was sent to an outside collection agency on June 18, 2011. Because Mr. Chelmowski’s account is currently inactive and service is no longer being provided to that number, the number is not eligible to be ported. AT&T is more than happy to work with the Commission and Mr. Chelmowski to re-activate his account so that he may port his 0400 number to another provider.”

April 11, 2011 and September 22, 2011 NOIC letters addressed the AT&T answer admission of the 2011 AT&T porting rejection for “Open Pending Order” in detail in AT&T answer.

Of course if the FCC failed to investigate and the complainant never received the AT&T NOIC required response letter from AT&T, this fraudulent concealment by the defendant (AT&T) of the facts giving rise to the claim. AT&T claiming since AT&T never sent this letters and of course have no proof of delivery in Interrogatories # 5. AT&T needs not provide any documentation because it is not relevant or as in the all these relevant objected interrogatories AT&T documentation would prove all AT&T’s statements are completely false. Therefore refuse to produce if under the FCC formal complaint 47 C.F.R. §§ 1.721-1.736 these documents are relevant and required to be produce.

III. FCC Jurisdiction on this FCC Formal Complaint.

The FCC and AT&T must be very familiar with the cases once a FCC informal or formal complaint is filed in a matter with the FCC, the FCC has complete jurisdiction and this matter can only be ruled under this case.

"That district court lacked subject matter jurisdiction over the complaint and properly dismissed Stiles's complaint on that ground." Attached "STILES, v. GTE SOUTHWEST INCORPORATED" is the United States Court of Appeals, Fifth Circuit ruling.

As STILES, v. GTE SOUTHWEST INCORPORATED No. 96-10183. United States Court of Appeals, Fifth Circuit Nov. 24, 1997. States when an informal FCC case is filed the FCC has jurisdiction of the FCC complaint matters not the Federal District court under § 207.

If fact, AT&T agreement (attached "AT&T Arbitration Agreement") and AT&T v Concepcion US Supreme Court forbids customers to bring claims like these FCC violations to the US Federal District Court. These claims could not be legally ruled on by the United States District Court per AT&T terms and agreements, AT&T v Concepcion, Stiles v GTE Southwest, etc.

AT&T terms and agreement states the following "This arbitration agreement does not preclude you from bringing issues to the attention of federal, state, or local agencies, including, for example, the Federal Communications Commission."

AT&T terms and agreement unconditional requires the only FCC jurisdiction on this FCC Formal Complaint and clearly states the FCC as the consumer rights with no ambiguity at all. Unless AT&T arguing that AT&T arbitration agreement and terms & conditions is not enforceable and unconstitutional, what is AT&T argument on this case not under the FCC jurisdiction?

AT&T failed to respond specifically with the required documents, affidavit, etc. under 47 C.F.R. §§ 1.724 Answers to the specifics in Complaint ¶s 29 to 51. AT&T only answers were blank responses which are unacceptable under

FACTS which all documented with back up in the FCC complaint and included as attachments in this email:

This other cases which are attached prove these FCC formal complaint is complete jurisdiction of the 16 counts and AT&T fraudulent Concealment Scheme.

- 1) Counts 1 and 2 were filed in the FCC informal complaint process violations and fraud concealment 47 CFR 1.717 dated July 31, 2014. Discovered first in late 2013 and 2014 after the AAA arbitration was filed and claims submitted. AT&T admission under oath on May 28, 2014 of the Fraudulent Concealment Scheme (now first admitted to the FCC on 1/16/15).
- 2) Counts 3 to 16 were initially filed in FCC informal complaint 47 CFR 52.35 and 47 CFR 52.36 for the inability to port phone number 847-768-0400 the March 23, 2011.

Summary, **Clearly FCC has jurisdiction on this FCC formal Complaint not the United States Federal Court.** All these FCC complaints pre dates any involvement of the US District Court. This fact has been decided in prior cases including cited STILES, v. GTE SOUTHWEST. Of course March 23, 2011 and July 31, 2014 were AT&T removed the judicial review to the US Federal Court on September 25, 2014. FCC full jurisdiction on this FCC case # EB-14-MD-016.

AT&T attempt to bring in the US Federal District Court which has no relevance to the FCC jurisdiction to further AT&T scheme of deception and Fraudulent Concealment of the 14 FCC illegal actions in the complaint. AT&T trying to throw every irrelevant to avoid producing the 2011 porting documents and AT&T multiple 2011 porting rejections which to date AT&T has concealed however finally AT&T started to admit these 2011 AT&T porting rejections exist starting in 2014.

IV. Important FACTS to this FCC Complaint which AT&T continues to conceal

AT&T to avoid the facts and documentation on the FCC formal complaint answer and requirements in the 47 C.F.R. §§ 1.724 Answer of AT&T of a fact based response to the claims of fraudulent concealment. Not one document produced on the relevant allegations required. Only claims porting documents which is the main bases of this entire FCC complaint are irrelevant. AT&T owns controls these documents. AT&T refused third party FCC administrator Neustar to produce these documents in a subpoena. If AT&T as states many times this case has no merit then produce these documents. (attached "Neustar Subpoena Response")

AT&T concealed (in AT&T 1/16/14 Answer) that in 2010 AT&T rejected both 847-768-0400 and 847-768-0000, not argued AT&T had the right to object the 2010 per 47 CFR 52.35 and 47 CFR 52.36. XO and OOMA under sworn statement in a subpoena response provided statements that both 847-768-0000 and 847-768-0400 were canceled by XO in

2010. Because that would expose the false statements AT&T are providing and will not provide a 1 document to prove AT&T statement of the XO 2010 porting order was Open through March and April repeated AT&T rejections of the 847-768-0400 porting.

How could AT&T claim that the 847-768-0000 was ported under 47 CFR 52.35 and 47 CFR 52.36 and the 847-768-0400 could not be ported under 47 CFR 52.35 and 47 CFR 52.36 in 2011. These request in 2010 were both canceled by XO (sworn statement) and virtually identically request except the phone number of course.

Neustar in 2014 stated without releasing the actual transactions AT&T would not allow to be released that either order in 2010 could not have been open in 2011 because if what AT&T states a Conflict Order would have been flagged and the 2010 ordered would have been deleted that day it was reported in conflict. (attached "XO Subpoena" & "OOMA Subpoena")

V. Due diligence requirement of the Fraudulent Concealment Doctrine.

AT&T answer to the first interrogatory almost sums up this AT&T Fraudulent Concealment scheme:

- 1) During the calendar year 2011 how many AT&T PORT REJECTIONS for phone number 847-768-0400 provide all details of the Port Rejections, Port Request, including dates, status, reasons, etc?

AT&T response "1. AT&T objects to Interrogatory 1 as irrelevant and overbroad"

How is this irrelevant to Counts 3 to 8?

How is this overbroad? A definite time, definite transactions and details.

This is a clear example of AT&T fraudulent concealment of the material facts needed FCC Complaint of FCC violations for the fraudulent concealment requirement.

One thing, I must agree with AT&T only the requirement I have satisfy the due diligence requirement of the fraudulent concealment doctrine on trying every way possible under my rights for AT&T release the 2011 porting documents and rejections. Unfortunately have not been successful to date AT&T continued the fraudulent concealment scheme and I continued my required Due Diligence.

The facts are below:

- 1) AT&T in 2011 to the FCC through a deception and fraudulent concealment scheme would provide that AT&T rejected the 2011 porting which now in AT&T without a single document in support AT&T Answer finally admitted to the FCC with no required documentation with false facts.
- 2) AT&T tried the same deception scheme in October 18, 2013 in a late answer to AAA arbitration.
- 3) AAA, AT&T and I agreed that these porting documents were essential and were required.
- 4) AT&T claimed that all porting documents were attorney client privilege
- 5) AT&T claimed in Answer ¶ #16 further discovery was requested is completely false, in question was the original discovery where AT&T claimed ALL porting documents about 80% of the AAA arbitrator approved scope of discovery which meet all the AAA requirements for limited scope of discovery and were necessary to prove the case as AT&T attorney client privilege including the 4/11/11 NOIC to the FCC as attorney client privilege.
- 5) AT&T refused to produce any privilege log which even when AT&T admitted in emails and complainant proved these documents omitted were needed to present its case and were not
- 6) AT&T refused to let Neustar respond with documents in Neustar procession on these porting request, rejections and transactions.
- 7) AT&T not providing a single document on the porting created an undocumented false statements that
- 8) AT&T refuse to follow the FCC formal complaint rules and still have not provided a single document.
- 9) AT&T response to answer the interrogations with false claims to avoid producing a single document on the 2011 porting which is the complete essence of this FCC formal Complaint.

VI. AT&T should be required to provide the Initial Requested Interrogatories (attached "Interrogatories with AT&T refusal to produce a single item – all not relevant to this case")

- 1)** During the calendar year 2011 how many AT&T PORT REJECTIONS for phone number 847-768-0400 provide all details of the Port Rejections, Port Request, including dates, status, reasons, etc.

AT&T Response: AT&T objects to Interrogatory 1 as irrelevant and overbroad.

Why needed and relevant? AT&T concealed all these 2011 porting rejections which are the main issue in this FCC formal complaint. Production of certified true responses will determine if AT&T claim of the 2010 porting request that was canceled by XO on 3/3/10 (under sworn statement) was still open in 2011 and AT&T multiple 2011 porting rejections were valid under 47 CFR 52.35 and 47 CFR 52.36. Also if this information was fraudulently concealed in AT&T's 2011 NOIC responses to the FCC. AT&T admitted to the FCC on 1/16/15 these 2011 porting rejections happened and were not in any of the AT&T 2011 NOIC letters to the FCC.

AT&T 1/16/15 response has no merit and item #1 should be produced under FCC Formal Complaint rules.

- 2)** Who is the author include name and title of the author of the AT&T letter dated September 22, 2011 to the FCC which does not contain an author? FCC informal complainant 11-C00325771-1 and AT&T file number CM20110831_26702265.

AT&T Response: AT&T objects to Interrogatory 2 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.

Why needed and relevant? Is clearly a main part to both Complaint and AT&T 1/16/15 answer. This is the part of all the counts and the fraudulent concealment scheme.

FCC rules require this information:

Sec. 1.724 Answers. f) The answer shall include an information designation containing:

(1) The name, address, and position of each individual believed to have firsthand knowledge of the facts alleged with particularity in the answer, along with a description of the facts within any such individual's knowledge;

(2) A description of all documents, data compilations and tangible things in the defendant's possession, custody, or control, that are relevant to the facts alleged with particularity in the answer. Such description shall include for each document:

(i) The date it was prepared, mailed, transmitted, or otherwise disseminated;

(ii) The author, preparer, or other source;

(iii) The recipient(s) or intended recipient(s);

(iv) Its physical location; and

(v) A description of its relevance to the matters in dispute.

(3) A complete description of the manner in which the defendant identified all persons with information and designated all documents, data compilations and tangible things as being relevant to the dispute, including, but not limited to, identifying the individual(s) that conducted the information search and the criteria used to identify such persons, documents, data compilations, tangible things, and information;

(g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

(h) The answer shall contain certification that the defendant has, in good faith, discussed or attempted to discuss, the possibility of settlement with the complainant prior to the filing of the formal complaint. Such certification shall include a brief summary of all steps taken to resolve the dispute prior to the filing of the formal complaint. If no such steps were taken, such certificate shall state the reason(s) why the defendant believed such steps would be fruitless;

Note: All these were not included in any of the AT&T 1/16/15 Answer statements as required by FCC regulations!

AT&T 1/16/15 response has no merit and item #2 should be produced under FCC Formal Complaint rules.

- 3)** Name all AT&T employees, AT&T directors, etc involved with any input of the contents of this letter to the FCC dated September 22, 2011? FCC informal complainant 11-C00325771-1 and AT&T file number CM20110831_26702265.

AT&T Response: AT&T objects to Interrogatory 3 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.

AT&T 1/16/15 response has no merit and item #2 should be produced under FCC Formal Complaint rules.

- 4)** AT&T Manager - FCC Appeals Bureau Margaret Trammell's FCC informal investigation 11-C00292341 (Odd finding, AT&T internal case number was omitted in this letter) which lead to the letter to the FCC dated April 11, 2011, how many 2011 AT&T PORTING REJECTIONS occurred prior to 4/11/11 letter, after 4/11/11 and how many are mentioned in her letter?

AT&T Response: AT&T objects to Interrogatory 4 as irrelevant, overbroad and unduly burdensome. AT&T's letter of April 11, 2011 (responding to Mr. Chelmowski's informal FCC complaint) speaks for itself.

Why needed and relevant? Is clearly a main part to both Complaint and AT&T 1/16/15 answer. Same as #4 Sec. 1.724 Answers. (f) (1) – (4)

AT&T 1/16/15 response has no merit and item #4 meet all the FCC Formal Complaint rules.

- 5)** On AT&T proof of delivery of the FCC informal complaints 11-C00325771 and 11-C00292341 what are the delivery details to the Complainant including date received by complainant, address sent and proof of delivery information?

AT&T Response: AT&T objects to Interrogatory 5 as noted above.

Why needed and relevant? These letters which AT&T is required to send were never sent to complainant in 2011, if apparent effort to avoid proving AT&T follow the FCC law for informal complaints (2 counts). AT&T did not send these letters to me in the Fraudulent Concealment scheme. These letters were faxed from the FCC to me in 2013.

- 6)** Was the January 2010 porting request which were never accepted by AT&T in 2010 due to incorrect account number for 847-768-0400 was open during 2011 complete time of questioned? Please in the answer include all AT&T documentation including NPAC/Neustar proof with Neustar transactions codes and AT&T meet all NPAC, FCC and Neustar requirements in the PORTING processing in 2010 and 2011. Provide all Neustar transactions codes for events in 2010 and 2011.

AT&T Response: AT&T objects to Interrogatory 6 as noted above.

Why needed and relevant? These documents are necessary for the 14 counts of FCC violations and AT&T fraudulent concealment scheme, due diligence requirement of the complainant. Neustar was required to produce these documents in a 2013 subpoena in a letter from Neustar in 2014, Neustar admitted these documents were in Neustar possession however under Neustar contract with AT&T, AT&T refused to provide Neustar required legal authorization to release these documents which are the AT&T 2011 porting rejections in question.

- 7)** Who and what was the "AT&T Director Review" of the FCC letter writing process in September of 2011 and which AT&T directors were involved on the FCC informal complaint 11-C00325771 and AT&T file number CM20110831_26702265?

AT&T Response: AT&T objects to Interrogatory 7 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.

Why needed and relevant? AT&T has no author on the September 22, 2011 letter to the FCC and AT&T logs show that AT&T Directors were involved with this letter which Fraudulent Concealed the 2011 AT&T porting rejections in questions. It is require under FCC 47 CFR 1.724 (f) (1) – (3) see Sec. 1.724 Answers. f) The answer shall include an

information designation containing: (1) The name, address, and position of each individual believed to have firsthand knowledge of the facts alleged with particularity in the answer, along with a description of the facts within any such individual's knowledge; ...

8) In the AT&T September of 2011 thorough investigation which lead to this September 22, 2011 letter to the FCC case 11-C00325771 and AT&T file number CM20110831_26702265, please detail all the events and details contained in the letter relevant issues of the 2011 PORTING REQUESTS, PORTING REJECTIONS, phone calls AT&T logged and verified complainant social security number in March and April of 2011, or really an relevant facts or information during March and April of 2011?

AT&T Response: AT&T objects to Interrogatory 8 as irrelevant. The September 22, 2011 letter is a response from AT&T to the FCC regarding an informal complaint apparently filed by Mr. Chelmowski, received by AT&T from the FCC. The September 22, 2011 letter represents AT&T's response to that complaint and speaks for itself.

Why needed and relevant? This is outlined in the 12/11/14 Complaint, this again is necessary for the 14 counts and the fraudulent concealment.

9) Provide all PORTING transactions and details for the phone numbers 847-768-0000, 847-768-000, 847-917-2384 and 847-768-0400 in the calendar year 2011 for porting requests, porting denials, cancelations, porting firm order commitments?

AT&T Response: AT&T objects to Interrogatory 6 as noted above.

Why needed and relevant? AT&T made clear statements in the 1/16/15 Answer under the FCC law for Answers these statements must be backed up and documented under FCC porting laws. AT&T 1/16/15 response has no merit and this should be produced under FCC Formal Complaint rules.

10) Using AT&T SEG advertised able to retrieve single or thousands emails in seconds with complicated search queries, what is the email retrieval count using any derivative James Chelmowski, Jim Chelmowski, phone numbers 847-744-5626, 847-768-0000, 847-768-0400, 847-917-2384, complainant's account numbers and all internal references customer numbers, abbreviations, etc.? Only counts of emails are needed at this time full emails may be required later.

AT&T Response: AT&T objects to Interrogatory 6 as irrelevant.

Why needed and relevant? This is extremely easy for AT&T

AT&T also states AT&T produced all these documents in the AAA arbitration. AT&T should note which page in the discovery AT&T produced each item. The answer will be not one of these items were produced in the AAA arbitration discovery all items AT&T claimed were AT&T attorney client privilege. I will produce a second email with AT&T discovery so AT&T could reference each of these Interrogatories and provide the AT&T bates stamp for each item. The results will be blank! As the FCC can see none of these items can be AT&T attorney client privilege. Many these items are probably required by the FCC in an FCC porting audit.

VII AT&T should be required to provide full documentation which AT&T disclosed the 2011 AT&T multiple porting rejections for Open Pending ("2010 XO") order on 1/16/15 and concealed prior to 1/1/6/15 from the FCC.

Final point

AT&T new attempt of Deception Scheme to Conceal the Material Facts of this Formal Complaint

The FCC laws do not state emailing an AT&T executive is one the 47 FR 52.36 14 Standard data fields, part of 75 FR Section 52.35 Porting Intervals for a complete and accurate porting request or 47 CFR 1.717 Violation Informal

Complaint process where a telecom company could fraudulent conceal all material facts from the FCC and neglect to provide the customer a required copy of their NOIC reply to the FCC. This is just another scheme of deception to conceal the material facts in this FCC formal complaint.

The issues at hand are FCC violations by AT&T and the fraudulent concealment not the AT&T false personal attacks to distract the FCC from the true issues. These unrelated to the FCC false personal attacks of a loyal 17 year customer should be violation of the Section 1.724(b) in this FCC Complaint about AT&T FCC violations. AT&T false twist of my emailing the AT&T executives after trying for almost 2 years of working with AT&T staff on getting a few hundred dollar over billing refunded. After a few emails to the AT&T executives (with no objections to my emails) AT&T finally refunded the \$500 overbilling that I was owed. AT&T did not mention the many hours I provided AT&T as beta tester which I received no compensation at all from AT&T. AT&T found no way to twist this as personal attack against me.

Sec. 1.724 Answers (b) Every effort shall be made to narrow the issues in the answer. The defendant **shall state concisely its defense to each claim asserted, admit or deny the averments** on which the complainant relies, and state in detail the basis for admitting or denying such averment. **General denials are prohibited**. Denials based on information and belief are expressly prohibited unless made in good faith and accompanied by an affidavit explaining the basis for the defendant's belief and why the defendant could not reasonably ascertain the facts from the complainant or any other source.

-----Original Message-----

From: Michael Engel [mailto:Michael.Engel@fcc.gov]

Sent: Saturday, January 17, 2015 6:11 AM

To: GOGGIN, MICHAEL P (Legal)

Cc: Jim Chelmowski (jchelmowski@comcast.net); FLEMMING, JACQUELYNE; Lisa Saks

Subject: RE: Chelmowski v. AT&T Mobility, FCC Docket No. 14-260, File No. EB-14-MD-016

Counsel,

If AT&T has not already done so, on Tuesday please file the documents referenced in your message below on ECFS (with a cover letter). Thank you.

Respectfully,

Michael Engel

Special Counsel

Market Disputes Resolution Division

Enforcement Bureau

From: GOGGIN, MICHAEL P (Legal) [mg7268@att.com]

Sent: Friday, January 16, 2015 6:00 PM

To: Lisa Saks; Michael Engel

Cc: Jim Chelmowski (jchelmowski@comcast.net); FLEMMING, JACQUELYNE

Subject: Chelmowski v. AT&T Mobility, FCC Docket No. 14-260, File No. EB-14-MD-016

Dear Ms. Saks and Mr. Engel:

Earlier today, AT&T filed its Answer in the above matter. In its answer, AT&T stated that Mr. Chelmowski had a related action pending in federal court. AT&T has now learned that the court issued an order in that proceeding dismissing the plaintiff's complaint. A copy of this order is attached for your convenience.

Michael P. Goggin
Counsel for AT&T Mobility
202.457.2055